

Return to

Michael Leuterich
343 S. Dearborn #1007

COUNTER- INTELLIGENCE:

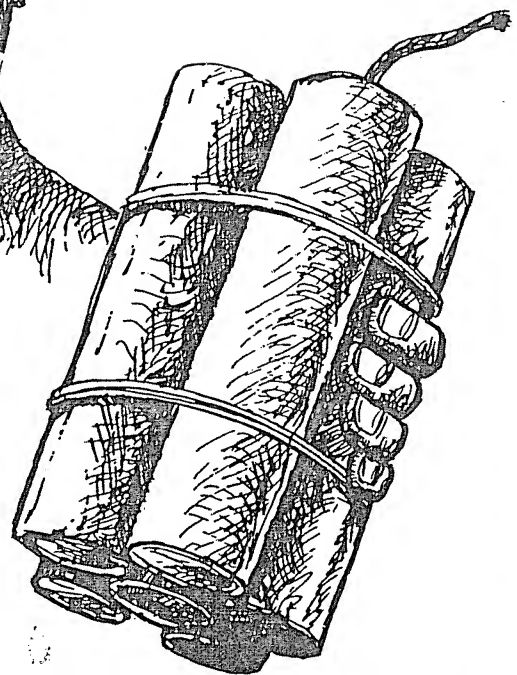
A Documentary Look at America's Secret Police



Volume One
revised and expanded

The FBI's
Counterintelligence
Operations
Against:
Black,
Puerto Rican,
Native American,
and Chicano/Mexicano
movements.

\$3.00



Introduction

This collection of FBI documents and newspaper stories is designed as a resource and educational tool for lawyers and lay persons alike. Having spent the last few years studying and litigating against the FBI and its counterintelligence programs, we publish this collection in order to share our knowledge with those engaged in similar political and legal work.

We feel this publication is an important part of the task we set out for ourselves when we started the Task Force on Counterintelligence and the Secret Police at the National Lawyers Guild meeting in February 1978. At that time we decided to exchange information with and aid the litigation of those engaged in similar work; and to bring a political understanding and analysis to both the information collected and the work done which is consistent with the realities as we see them - an analysis which emphasizes that the repressive counterintelligence programs of the FBI and other secret police agencies were and are designed to systematically disrupt and destroy domestic Third World liberation movements and their leadership by any means necessary.

We wish to encourage others to bring this understanding to their work, and to move beyond omnibus spy suits and their attendant voluminous dossiers, and to focus on discovering and attacking past and present counterintelligence policies and tactics, with an eye toward aiding those victims of repression who are criminally charged or remain in prison as a result of these tactics. While this is a book composed primarily of documents, we do not see it as scholarly research with no other purpose than to satisfy historical curiosity; we hope it will be used as a tool by past victims of counterintelligence, and by the people who are the current targets of FBI harrassment.

We welcome your support and ideas, your criticisms, and especially your direct participation. Let's join together to hoist the secret police on their own petard!



Flint Taylor, and
Margaret Van Houten
Co-Chairs, NLG Task Force
on Counterintelligence
and the Secret Police
1/26/80

National Lawyers Guild Government Repression and Police Misconduct
Committee - Counterintelligence Documentation Center - Suite 918 -
343 South Dearborn Street, Chicago, Illinois 60604

Editor's Note

This is the third edition of Counterintelligence: A Documentary Look at America's Secret Police. Since the last edition, we have collected and included in this book newly-released documents on the Republic of New Africa, American Indian Movement, former Black Panther Party leader Geronimo Pratt, and the continuing cover-up in the civil case concerning the murder of Fred Hampton and Mark Clark. While we feel the book is improved, we are by no means satisfied that we have gathered and published a definitive collection of documents. We therefore ask that those people reading this book contact us and send documents, newspaper clippings, and other materials that you feel would make our next edition more complete. We are especially interested in materials concerning the Chicano/Mexicano, Puerto Rican, and Native American movements.

To assist in the collection and dissemination of documentary materials regarding this area, the Government Repression and Police Misconduct Committee of the National Lawyers Guild has established a Counterintelligence Documentation Center in Chicago, Illinois. The Center makes available to interested persons over 20,000 pages of FBI files dealing with the New Left, Black Activists, Special Operations, and Media Program. The Center also coordinates the publication of the Police Misconduct Litigation Report newsletter, and the Public Eye Magazine, which recently merged with the Committee.

We would also like to inform our readers of two other groups who are doing significant work in the area of counterintelligence research and litigation - The National Task Force on Cointelpro Litigation and Research at P.O. Box 65, Bronx, New York 10473; and FOIA, Inc. at 36 West 44th Street, New York City 10036.

Please send any documents, synopses of files, or other materials to NLG Counterintelligence Documentation Center, Suite 918, 343 South Dearborn Street, Chicago, Illinois 60604. If you wish to be on our mailing list, please write us. For further information contact Chip Berlet, coordinator NLG/CDC at the above address or leave a message at the Chicago National Lawyers Guild (312) 939-2492.

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(Ed. Note: In most cases the FBI memos are photocopies of original documents. Where reproduction was of a poor and illegible quality, we have retyped specific paragraphs, using similar type and margins. Not one word in those paragraphs has been deleted or altered. On some pages, different documents have been placed together, and are separated by a wavy line to indicate the difference. Dashed lines indicate paragraphs have been removed for reasons of space and relevance.)

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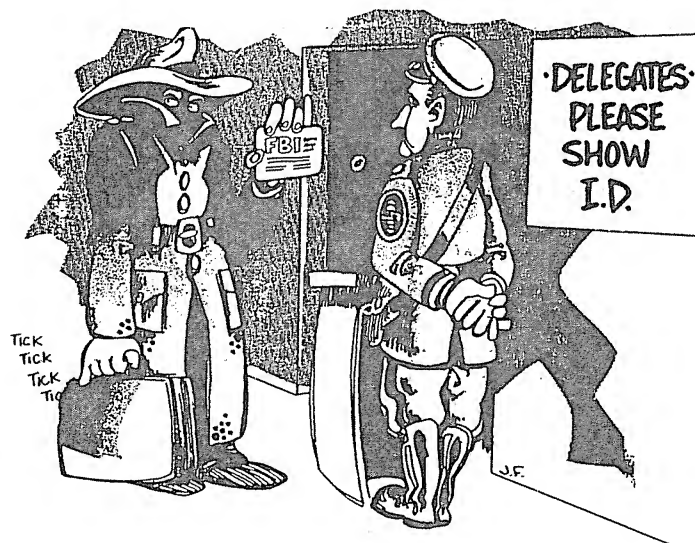
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Part One: The Political Mission of the FBI

The history of FBI counterintelligence and repression against the Black liberation movement began with the establishment of the Bureau itself, in 1919. In October of that year, J. Edgar Hoover, fresh from his exploits as Attorney General Palmer's "legal advisor" for the notorious Palmer raids, initiated a campaign against Marcus Garvey which resulted in his frameup on false fraud charges, and ultimately in his deportation as an "undesirable alien". Counterintelligence tactics were employed against other Black leaders and spokespersons, such as Paul Robeson and Richard Wright, and may have been involved in Wright's mysterious death in Paris. As Blacks became active in the Communist Party, the FBI moved to destroy racial unity and play on racism within the Party. The Bureau further developed this technique in an extensive campaign to discredit the black Party leader Claude Lightfoot in the 1950's.

In the late 1950's and early 1960's the FBI moved to quash the growing civil rights movement in the South. Over one-fourth of all Klan members in the South were FBI agents and informants, and much violence against the civil rights movement can be directly attributed to these agents. One FBI provocateur, Gary Thomas Rowe, was an active participant in widespread Klan violence, including the murder of civil rights worker Viola Liuzzo, the bombing of a Birmingham church which killed four Black children, and the killing of a Black man during a racial disturbance in Birmingham in 1963. Much of the FBI's attention, as has now become well known, was focused on Dr. Martin Luther King, Jr. and the Southern Christian Leadership Conference (SCLC).

As early as 1960, the FBI started a comprehensive program, originating in Chicago, designed to disrupt and neutralize the Nation of Islam. Although the bulk of the files are still secret, released documents reveal that one of the primary purposes of this program was to exacerbate the tensions between Malcolm X and Elijah Muhammed, and these activities either directly or indirectly led to the assassination of Malcolm X in 1965. Also in 1960, the FBI ordered their field offices to begin counterintelligence activities to "thoroughly disrupt" the Puerto Rican Independence movement, especially the Puerto Rican Nationalist Party and what is now the Puerto Rican Socialist Party.

As the civil rights movement moved to the north, and urban ghetto uprisings punctuated Black people's demand for liberation, the FBI greatly expanded their counterintelligence programs against the Black movement and its leadership. In August of 1967 Hoover directed all field offices to establish a "black nationalist" counterintelligence program, designed to "expose, disrupt, misdirect, discredit and otherwise neutralize" Black nationalist organizations and their leaders. The Student Non-Violent Coordinating Committee (SNCC), SCLC, the Revolutionary Action Movement (RAM), the Nation of Islam, and the Deacons of Defense were specifically targeted, as were Stokely Carmichael, H. Rap Brown, the Honorable Elijah Muhammed, and Maxwell Stanford, among others.

On March 4, 1968, Hoover exhorted 41 field offices to redouble their counterintelligence efforts against the Black liberation struggle, instructing them to "prevent coalitions between militant Black nationalist groups", to "prevent the rise of a 'messiah' who could unify, and electrify, the militant black nationalist movement", and to "prevent the long-range growth of militant black nationalist organizations." One month later, Dr. King, the target of countless counterintelligence maneuvers which included wiretaps and bugs, blackmail, a suicide note, and an attempt to replace him with an FBI plant, was felled by an assassin's bullet, an assassination which still leaves many unanswered questions concerning the FBI's role, and reveals yet another FBI coverup.

The Bureau set out to implement this expanded program with a vengeance. They moved to neutralize public figures such as Dick Gregory and Muhammed Ali, sought to disrupt militant Third World community organizations, and focused on revolutionary nationalist organizations and the Republic of New Africa (RNA), which had gained wide influence in the Black liberation struggle in early 1968 after declaring that all Black Americans (New Africans) were citizens of the Black nation, whose rightful land was 5 states of the deep South. Much energy was expended on discrediting Stokley Carmichael, who was branded by the FBI as a CIA agent.

It did not take long, however, for the FBI to make its main target the Black Panther Party. In late 1968, the Bureau sent out a communique to all field offices exhorting them to "cripple the BPP." For the next four years, in what the Senate Select Committee on Intelligence described as a "covert program to destroy the Black Panther Party," the FBI maintained a massive counterintelligence program, steeped in violence and illegality, against the Panthers. Determined to silence the strongest and most militant black revolutionary organization, the Bureau used everything from wiretap to murder. They coordinated police raids against Panther homes and offices throughout 1969, and set up the police murder of Fred Hampton, one of the youngest and most inspiring of all Black leaders, on December 4, 1969. They put special emphasis on disrupting the BPP's most successful programs, such as the Breakfast Program and the Black Panther Newspaper, and instructed all field offices to "destroy what they stand for." Although they focused on the Panthers, they also continued to disrupt the Young Lords, the Republic of New Africa, and the Nation of Islam; and worked hard to discredit Rev. Charles Koen, who was leading a heroic battle against Klan terror in Cairo, Illinois. The Bureau took credit for the demise of several Panther chapters, and for the 1971 split between Huey Newton and Eldridge Cleaver.

During 1971, the FBI office in Media, Pennsylvania was secretly entered by nameless American patriots, who managed to liberate a number of counterintelligence documents. The FBI then claimed that it was disbanding its counterintelligence programs, but, in fact, it has only changed the names. FBI counterintelligence against the American Indian Movement and Native American people across the country has intensified over the past several years, as the events at Wounded Knee and FBI terror on the Pine Ridge reservation show.

The FBI until recently orchestrated and coordinated violent attacks on the Iranian Student Association by agents of the Shah of Iran's Secret Police (SAVAK) in the United States, in order to crush the ISA in this country. The FBI and the Justice Department have resumed the inquisitional use of Grand Juries to jail Puerto Rican and Chicano activists, and have employed widespread intimidation and harrassment in Puerto Rican and Chicano communities to disrupt activities there. The FBI continues to assist in and condone violence against Native Americans. While Assata Shakur and Imari Obedele are no longer in prison, many other victims of FBI counterintelligence remain incarcerated, victims of set-ups and frame-ups: Geronimo Pratt and citizens of the Republic of New Africa, to name but a few. COINTELPRO continues. A tragic repitition of history occured when five members of the Communist Workers Party were slain by members of the Ku Klux Klan and American Nazi Party in Greensboro, North Carolina on November 3, 1979. The local police and FBI, who were aware of the intentions of the Klansmen and Nazis to disrupt the CWP demonstration - and that they were armed - did nothing to prevent the assault, and indeed, were many blocks away when the murders took place. The resemblance to the incident in Birmingham, Alabama almost twenty years ago that is recorded in FBI memos on pages four and five of this book, is chilling; and is also a reminder of the words of "The Director" J. Edgar Hoover, who said in a 1964 FBI memo:

"Over the years, our approach to investigative problems in the intelligence field has given rise to a number of new programs, some of which have been most revolutionary, and it can be presumed that with a continued aggressive approach to these problems, new and productive ideas will be forthcoming. These ideas will not be increased in number or improved upon from the standpoint of accomplishments merely through the institution of a program such as COINTELPRO which is given another name, and which, in fact, only encompasses everything that has been done in the past or will be done in the future."



Documents detail FBI-Klan links in early rights strife

DETROIT [UPI]—Documents obtained by the American Civil Liberties Union show that in 1961 the FBI passed along information about two Freedom Rider buses to a Birmingham, Ala., police sergeant who was a known Ku Klux Klan agent.

Howard Simon, Michigan ACLU executive director, said the 3,000 pages of FBI letters, memos, and teletype messages were released to ACLU attorneys in a lawsuit filed against the FBI for allegedly failing to prevent Klan attacks on Freedom Riders.

"What we found in the documents was rather startling," Simon said Sunday. "The ACLU is charging that the FBI provoked the Klan to carry out terrorist acts against civil rights workers."

HE SAID DOCUMENTS show that the FBI knew Sgt. Thomas Cook of the police department's intelligence branch was giving the Klan the information that the FBI was providing about civil rights workers.

According to the documents, the chief of the Birmingham FBI office called Cook to inform him of the progress the buses were making through the racially tense South and when they were due to arrive at Alabama bus stations.

According to Simon, an FBI informant who had infiltrated the Klan said Cook and Birmingham's public safety director, Eugene "Bull" Connor, conspired with Klan leaders to allow physical attacks on Freedom Riders when the buses arrived at terminals in Birmingham.

THE DOCUMENTS, he said, show that Birmingham police agreed to arrive at the terminals 15 or 20 minutes after the buses arrived to give Klansmen time to attack the civil rights workers. Klansmen arrested after then were promised light sentences.

When buses arrived, no police were present. Klansmen attacked civil rights workers, reporters, and press photographers with chains, pipes, and baseball bats.

Earlier the same day, Klansmen intercepted a Freedom bus at Anniston, Ala., 50 miles to the east, and set it on fire.

"We found," Simon said, "that the FBI knew that the Birmingham Police Department was infiltrated by the Klan, that many members of the police department were Klan members, that they knew a person in intelligence was passing information directly to leaders of the Klan, and they also knew that their undercover agent had worked out an agreement with the police department to stay away from the terminals."

"THEY KNEW ALL that, and yet they continued their relationship with the police department."

The documents were released to attorneys for Walter Bergman, 80, a former Wayne State University professor and Detroit school board official who has filed a \$1 million lawsuit against the FBI.

Chicago Tribune 8/78

BH 248-PCI (RAC), who has furnished reliable information in the past, orally furnished the following information:

On April 21, 1961, BH 248-PCI (RAC) telephonically contacted this Agent and advised that he had in his possession certain communications which he had received from one T. H. COOK, Sergeant of the Birmingham Police Department, which communications he had shown to ROBERT THOMAS, HUBERT PAGE, GENE REEVES and BILL HOLT, after the regular closed meeting of Eastview Klavern #13, of THE ALABAMA KNIGHT, KNIGHTS OF THE KU KLUX KLAN, INCORPORATED, on April 20, 1961.

He said he had received the inter-office communications from COOK, on the morning of April 20, 1961, and was given instructions to turn these over to ROBERT THOMAS and HUBERT PAGE, with the thought in mind that the KLAN could possibly reproduce the information contained in the communications on the KLAN press for distribution to the members of THE ALABAMA KNIGHTS.

COOK opened several file drawers in his filing cabinets and told informant that any information contained in his files was readily available to informant, for the use of the KLAN, in general.

Reference is made to matter entitled, "INFILTRATION OF LAW ENFORCEMENT AGENCIES BY KLAN-TYPE ORGANIZATIONS, RACIAL MATTERS" (Bufile [REDACTED]). The Bureau is aware that III Sergeant TOM COOK of the Birmingham Police Department has been furnishing information concerning potential violence given him by the Birmingham FBI Office to THE ALABAMA KNIGHTS, KNIGHTS OF THE KU KLUX KLAN, INCORPORATED.

=====

On May 12, 1961, Birmingham Confidential Informant T-1, who has furnished reliable information in the past, advised that at a regular closed meeting of Eastview Klavern #13 of THE ALABAMA KNIGHTS, KNIGHTS OF THE KU KLUX KLAN, INCORPORATED, the arrival of the CORE group and KLAN intervention, on May 14, 1961, was discussed. All Klansmen were told to stay away from the Greyhound Bus Terminal, unless specifically instructed to participate in KLAN intervention.

=====

After the closed meeting, according to T-1, HUBERT PAGE, Grand Titan of THE ALABAMA KNIGHTS, advised several persons that ROBERT SHELTON, Imperial Wizard, THE ALABAMA KNIGHTS, had spoken to Detective TOM COOK, Birmingham Police Department, date and time unknown, concerning CORE. PAGE further related that the CORE group was to arrive at approximately 11:00 A.M., May 14, 1961, at the bus depot, and that sixty Klansmen were to participate in the beatings.

=====

PAGE further stated that EUGENE "BULL" CONNOR, Police Commissioner, Birmingham, Alabama, had stated, "By God, if you are going to do this thing, do it right", referring to the proposed incident on Sunday, May 14, 1961.

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FROM SAC, BIRMINGHAM /149-NEW/ 6P

DIRECTOR OF NEWS, WAPI, HAS ADVISED ME THAT UPON HIS ARRIVAL AT THE TRAILWAYS BUS STATION THIS AFTERNOON

=====

HE SAW A SHORT, HEAVY SET, WHITE MAN WEARING A YELLOW SHIRT, KNOCK A NEGRO MALE TO THE GROUND AND JUMP ON HIM, AND THAT IMMEDIATELY THEREAFTER SEVERAL MEN STARTED THROWING PEOPLE AROUND. HE STATED THAT HE SAW NO POLICE IN SIGHT, BUT DID SEE TWO NEWS PHOTOGRAPHERS, TAKING PHOTOGRAPHS. HE STATED THAT THE NEGRO RAN OUT OF THE BUS STATION, HIS FACE WAS BLOODY AND ONE OF HIS PANTS- LEGS RIPPED OFF.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (105-66754) DATE: 11/15/60

FROM : SAC, NEW YORK (105-32872)

SUBJECT:

GROUPS SEEKING INDEPENDENCE
 FOR PUERTO RICO (COUNTERINTELLIGENCE PROGRAM)
 SUBVERSIVE CONTROL (OO: San Juan)

Re Bureau letter dated 9/13/60.

A review of the files of the NYO has been made concerning the activities of Puerto Rican pro-independence groups which seek independence by other than peaceful means, as well as the files on the counterintelligence program as it relates to the Communist Party. It is believed that upon instituting a counterintelligence program in this field, efforts should be directed with the following aims in mind:

- I. Disruption and discord.
- II. Creating doubts as to the wisdom of remaining in the independence movement.
- III. Causing defections from the independence movement.

The suggested means of obtaining these desired ends are as follows:

- 1) Exploiting factionalism within an organization.

Factionalism is a common fault within pro-independence groups and it is believed that this existing element can be developed, enlarged and exploited. As an example, after the demise of the Accion Patriotica

- P -

- 2) - Bureau (105-66754) (RM)
- 2) - San Juan (105-3353) (RM)
- 1) - New York (105-32872) (#413)

JJT:vcv

(5)

15 NOV 17 1960

EXP. PROC.

105-93124-5
 15 NOV 17 1960
 Sub (105-32872)

SAC, San Juan (105-3353)

August 4, 1960

Director, FBI (105-66754)

PERSONAL ATTENTION

GROUPS SEEKING INDEPENDENCE
FOR PUERTO RICO
(SUBVERSIVE CONTROL)

The Bureau is considering the feasibility of instituting a program of disruption to be directed against organizations which seek independence for Puerto Rico through other than lawful, peaceful means.

Because of the increasing boldness apparent in the activities of such organizations, their utter disregard of the will of the majority, the inevitable communist and/or Soviet effort to embarrass the United States, and the courage given to their cause by Castro's Cuba, we must make a more positive effort, not only to curtail, but to disrupt their activities.

San Juan and New York should give this matter studied consideration and thereafter furnish the Bureau observations, suggestions and recommendations relative to the institution of such a program to reach the Bureau no later than 8/25/60.

In considering this matter, you should bear in mind the Bureau desires to disrupt the activities of these organizations and is not interested in mere harassment. No action should be taken in this program without Bureau authority, at any time.

A copy of this communication is designated for the Chicago Office and a copy for the Washington Field Office for information.

2 - New York (105-32872)

1 - Chicago (105-5581)

1 - Washington Field

1 - 62-7721 (NPPR)

TC/baw
(9)

64 AUG 10 1960

MAIL ROOM ☐ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN

SAC, San Juan (105-3353 Sub. 1)

June 12, 1961

Director, FBI (105-23124)

~~CONFIDENTIAL~~

GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
(COUNTERINTELLIGENCE PROGRAM)
SUBVERSIVE CONTROL SECTION

In order to appraise the caliber of leadership in the Puerto Rican independence movement, particularly as it pertains to our efforts to disrupt their activities and compromise their effectiveness, we should have an intimate detailed knowledge of the more influential leaders as individuals.

The names of each of the leaders listed below are maintained in the Security Index.

SAN JUAN

[REDACTED]

NEW YORK

[REDACTED] na

Your files will contain descriptive information appropriate to our investigative reporting. We should, however, for the purposes of this program, delve deeply into that part of their lives which do not show on the surface; for example, we must determine their capabilities of influencing others, capabilities of real leadership, why the intense desire for Puerto Rico's independence, what they expect to gain from independence, and the support they have from other leaders and rank-and-file members. We must have information concerning their weaknesses, morals, criminal records, spouses, children, family life, educational qualifications and personal activities other than independence activities.

2 - New York (105-32872)

DECLASSIFIED BY 6080

1977

SEE NOTE ON YELLOW, PAREC-23

TC:djw

(6)

JUN 13 1961

TELETYPE UNIT

UNITED STATES GOVERNMENT

Memorandum

Parsons
Protection X

9

TO : DIRECTOR, FBI (100-448006)

DATE: 1/22/69

FROM : SAC, CHICAGO (157-2209) (P)

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE
(NATION OF ISLAM)

Reurlet, 1/7/69; Chicago letters 12/24/68 and
1/14/69.

ReBulet has been thoroughly studied and discussed by the SAC, the Supervisor, and Agents familiar with facets of the NOI which might indicate trends and possible future direction of the organization. The Bureau's concern is most understandable and suggestions appreciated.

Over the years considerable thought has been given, and action taken with Bureau approval, relating to methods through which the NOI could be discredited in the eyes of the general black populace or through which factionalism among the leadership could be created. Serious consideration has also been given towards developing ways and means of changing NOI philosophy to one whereby the members could be developed into useful citizens and the organization developed into one emphasizing religion - the brotherhood of mankind - and self improvement. Factional disputes have been developed - the most notable being MALCOLM X LITTLE. Prominent black personages have publicly and nationally spoken out against the group - U.S. District Court Judge JAMES BENTON PARSONS being one example. The media of the press has played down the NOI. This appears to be a most effective tool as individuals such as MUHAMMAD assuredly seek: any and all publicity be it good or bad; however, if the press is utilized it would appear it should not concentrate on such aspects as the alleged strength of the NOI, immoral activities of the leadership, misuse of funds by these officials, etc. It is the opinion of this office that such exposure is ineffective, possibly creates interest and maybe envy among the lesser educated black man causing them out of curiosity to attend meetings and maybe join, and encourage the opportunist to seek personal gain - physical or monetary - through alignment with the group. At any rate it is felt such publicity in the case of the NOI is not overly effective.

2 - Bureau (RM)
1 - Chicago
JRS:bab
(3)

F B I

Date: 8/29/69

Transmit the following in _____

(Type in plaintext or code)

AIRTEL

(Priority)

TO : DIRECTOR, FBI (100-448006)
 FROM : SAC, CHICAGO (157-2209)
 SUBJECT: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST HATE GROUPS
 RACIAL INTELLIGENCE
 (NATION OF ISLAM)

Re Miami airtels to the Director (copy to Chicago) 8/22/69, and 8/25/69.

At the present time, Chicago does not desire to rehash some of the exposes that occurred around the time of the defection of MALCOLM X LITTLE as top level sources could be endangered and future activities thereof curtailed.

Referenced Miami airtel dated 8/25/69, reflected [redacted] is attempting to locate statements of prominent government and police officials regarding dangers created by the NOI. Again, Chicago agrees that the constant hate teachings against the white race is most undesirable. This is especially true as it relates to the children of the membership who are indoctrinated from birth on to hate the white man.

In an effort to keep [redacted] proposed documentary current, the following observations are set forth:

Report of [redacted] dated 6/20/69, pages 49 - 53, copy available to Miami, sets forth full details regarding ELIJAH MUHAMMAD's statements concerning his version of law and order; sets forth data regarding a meeting of the minds between the NOI and the Chicago Police Department; and relates details concerning plans by the National Society of Afro-American Policemen, New York City, to honor MUHAMMAD and the NOI in June, 1969. While this is in no way meant to infer the NOI is a useful, integral

Washington Star

11

WASHINGTON, D.C., WEDNESDAY, NOVEMBER 19, 1975

Phone (202) 484-5000

By Norman Kempster

Washington Star Staff Writer

Looking gray and wan after a 2 1/2-month bout with cancer, Sen. Philip Hart spent one of his first days back on Capitol Hill listening to a catalog of apparently illegal FBI activities that ranged from fomenting violence to suggesting suicide.

"Over the years, we have been warned about the dangers of subversive organizations . . . organizations that would incite and perpetrate violence, pit one American group against another. I think the story you told us today shows there is an organization that does fit those descriptions. It is the organization (the FBI) that has been most active in its earnings to be on guard against such organizations.

Hart's statement was the emotional peak of a hearing yesterday in which the committee's top two staff members, chief counsel Fritz Schwarz and minority counsel Curtis Smothers, took the lawmakers on a guided tour of 20 years of FBI files recording efforts to disrupt and destroy organizations ranging from the Ku Klux Klan to the Black Panthers.

According to Schwarz and Smothers, the most determined of all of the bureau's domestic counterintelligence activities was aimed at discrediting the Rev. Dr. Martin Luther King Jr., head of the Southern Christian Leadership Conference, and dissipating his influence in the black community.

SMOTHERS SAID the files show that Hoover was suspicious of King from the moment King first began to achieve national prominence with the Montgomery, Ala., bus boycott in 1956. One reason for the animosity, Smothers suggested, was King's criticism of Hoover.

By December 1963, shortly after the assassination of former President John F. Kennedy, the effort to discredit King began in earnest. An FBI memo summarizing a meeting devoted to ways of dealing with King contains 21 suggestions of methods of obtaining derogatory information.

Many of the ideas are phrased as questions. They include, "Can colored agents be of any assistance?" "What are the possibilities of using Mrs. King?" "Are there any disgruntled employees of SCLC?" and "What are the possibilities of providing a good-looking female plant in King's office?"

Also suggested were telephone taps and hidden microphones. The first of these was installed the next month.

In all, 16 microphones were planted in hotel rooms used by King during the next few years. There also were several telephone taps.

SHORTLY BEFORE

King was to leave for Stockholm in 1965 to receive the Nobel Peace Prize, the FBI sent King an anonymous letter which seemed to be a suggestion that he kill himself. The letter was accompanied by a tape recording of some of the hotel room bugs.

"King, there is only one thing left for you to do," the letter said. "You know what it is. You have just 34 days (the number of days before the Nobel ceremony) in which to do it. . . . You are done. There is but one way out for you."

King did not kill himself. But another FBI dirty trick may have indirectly contributed to his assassination in April of 1968.

The FBI files show that the bureau leaked to a friendly reporter that King was staying in the white-owned Holiday Inn during his participation in a sanitation workers strike that included a boycott of white-owned businesses. A bureau memo said King should be called a hypocrite because he was not staying in the Lorraine, a black-owned and black-patronized motel.

King did check into the Lorraine where he was shot to death April 4 while standing on a balcony. The FBI contends that he had checked into the black-owned motel before the reports of his stay at the Holiday Inn had surfaced.

IN 1963, former Asst. FBI Director William Sullivan suggested to Hoover that the bureau pick and develop a "national Negro leader" to take King's place. Hoover approved the plan but apparently nothing ever came of it.

Smothers said the FBI had in mind a black who was prominent in a field other than civil rights. Smothers said the individual, whom he would not name, apparently never knew of the plan.

An obsession with communism runs through the documents that were either released or read.

An April 24, 1964, memo from Hoover to the special agent in charge of the New York office called for renewed investigation of a

civil rights leader, whose name was removed before the document was made public: "The bureau does not agree with the expressed belief of the New York office that (deleted) is not sympathetic to the party cause. While there may not be any evidence that (deleted) is a Communist, neither is there any substantial evidence that he is anti-Communist."

AN EXCHANGE of memos between Hoover and Sullivan in mid-1963 illustrates Hoover's determination to find Communist influence even where it might not exist and spotlights the problems of working for the often irascible director.

Sullivan at first said an investigation had turned up no evidence of substantial Communist penetration of the civil rights movement. Hoover penned at the bottom of the memo a sarcastic note that Sullivan once doubted Communist influence on Fidel Castro.

Sullivan took the hint. He shortly wrote a memo noting that "the director is correct."

"When it came to blacks, the most violent types of methods seemed to be acceptable," Smothers said. "If they were going to have gang fights and if they were going to be killing each other, it seemed to be an opportunity to promote it."

SAC, Albany

August 25, 1967

Director, FBI

PERSONAL ATTENTION TO ALL OFFICES

COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 INTERNAL SECURITY

1 - Mr. C. D. Brennan

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

Offices receiving copies of this letter are instructed to immediately establish a control file, captioned as above, and to assign responsibility for following and coordinating this new counterintelligence program to an experienced and imaginative Special Agent well versed in investigations relating to black nationalist, hate-type organizations. The field office control file used under this program may be maintained in a pending inactive status until such time as a specific operation or technique is placed under consideration for implementation.

The purpose of this new counterintelligence endeavor is to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist, hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters, and to counter their propensity for violence and civil disorder. The activities of all such groups of intelligence interest to this Bureau must be followed on a continuous basis so we will be in a position to promptly take advantage of all opportunities for counterintelligence and to inspire action in instances where circumstances warrant. The pernicious background of such groups, their duplicity, and devious maneuvers must be exposed to public scrutiny where such publicity will have a neutralizing effect. Efforts of the various groups

2 - Atlanta
 2 - Baltimore
 2 - Boston
 2 - Buffalo
 2 - Charlotte
 2 - Chicago
 2 - Cincinnati
 2 - Cleveland
 2 - Detroit
 2 - Jackson
 2 - Los Angeles
 2 - Memphis
 2 - Newark
 2 - New Orleans
 2 - New York

2 - Philadelphia
 2 - Phoenix
 2 - Pittsburgh
 2 - Richmond
 2 - St. Louis
 2 - San Francisco
 2 - Washington Field Office

MCT-34
REC 34

X 106

MAILED 3
 AUG 25 1967
 COMM-FBI

19 AUG 29 1967

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 OTHERWISE.

Tolson
 DeLoach
 Mohr
 Bishop
 Casper
 Callahan
 Conrad
 Felt
 Gale
 Rosen
 Sullivan
 Tavel
 Trotter
 Tele. Room
 Holmes
 Gandy

56 SEP 19 1967 (53)

MAIL ROOM ☐ TELETYPE UNIT ☐

RYAN

Letter to SAC, Albany
RE: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS

to consolidate their forces or to recruit new or youthful adherents must be frustrated. No opportunity should be missed to exploit through counterintelligence techniques the organizational and personal conflicts of the leaderships of the groups and where possible an effort should be made to capitalize upon existing conflicts between competing black nationalist organizations. When an opportunity is apparent to disrupt or neutralize black nationalist, hate-type organizations through the cooperation of established local news media contacts or through such contact with sources available to the Seat of Government, in every instance careful attention must be given to the proposal to insure the targeted group is disrupted, ridiculed, or discredited through the publicity and not merely publicized. Consideration should be given to techniques to preclude violence-prone or rabble-rouser leaders of hate groups from spreading their philosophy publicly or through various mass communication media.

Many individuals currently active in black nationalist organizations have backgrounds of immorality, subversive activity, and criminal records. Through your investigation of key agitators, you should endeavor to establish their unsavory backgrounds. Be alert to determine evidence of misappropriation of funds or other types of personal misconduct on the part of militant nationalist leaders so any practical or warranted counterintelligence may be instituted.

Intensified attention under this program should be afforded to the activities of such groups as the Student Nonviolent Coordinating Committee, the Southern Christian Leadership Conference, Revolutionary Action Movement, the Deacons for Defense and Justice, Congress of Racial Equality, and the Nation of Islam. Particular emphasis should be given to extremists who direct the activities and policies of revolutionary or militant groups such as Stokely Carmichael, H. "Rap" Brown, Elijah Muhammad, and Maxwell Stanford.

At this time the Bureau is setting up no requirement for status letters to be periodically submitted under this program. It will be incumbent upon you to insure the program is being afforded necessary and continuing attention and that no opportunities will be overlooked for counterintelligence action.

This program should not be confused with the program entitled "Communist Party, USA, Counterintelligence Program, Internal Security - C," (Bufile 100-3-104), which is directed

Letter to SAC, Albany
 RE: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS

against the Communist Party and related organizations, or the program entitled "Counterintelligence Program, Internal Security, Disruption of Hate Groups," (Bufile 157-9), which is directed against Klan and hate-type groups primarily consisting of white memberships.

All Special Agent personnel responsible for the investigation of black nationalist, hate-type organizations and their memberships should be alerted to our counterintelligence interest and each investigative Agent has a responsibility to call to the attention of the counterintelligence coordinator suggestions and possibilities for implementing the program. You are also cautioned that the nature of this new endeavor is such that under no circumstances should the existence of the program be made known outside the Bureau and appropriate within-office security should be afforded to sensitive operations and techniques considered under the program.

No counterintelligence action under this program may be initiated by the field without specific prior Bureau authorization.

You are urged to take an enthusiastic and imaginative approach to this new counterintelligence endeavor and the Bureau will be pleased to entertain any suggestions or techniques you may recommend.

-3-

DAILY DEFENDER 12/4/75

Bare new data in FBI-King

BY DANIEL F. GILMORE

WASHINGTON (UPI)—Former Attorney Gen. Nicholas Katzenbach testified Wednesday that J. Edgar Hoover risked the reputation of the FBI—"his life's work—in a vendetta against Dr. Martin Luther King, Jr.

Katzenbach told the Senate Intelligence committee that when he was Attorney General during 1965-66, he knew of telephone wiretaps against King by the

FBI and once ordered a tap on King's home phone ended.

But he said he learned later the FBI put electronic "bugs" in King's hotel room without authorization and used other "unlawful and grossly improper" tactics against King.

When questioned about three memos to him written by Hoover in 1965, giving what Katzenbach called "after-the-fact" notification of bugs in King's hotel room, he said the memos contained initials "that appear to be mine".

Also testifying was Ramsey Clark who gave no specifics about what he may have known when he was Attorney General in 1967-69, but said the FBI was trying

"to destroy the desperately needed moral leadership of Martin Luther King."

"His vendetta against Dr. King, if successful, could have led to a civil strife of frightening magnitude."

DIRECTOR, FBI (100-3-104-34)

6/1/67

SAC, CHICAGO (100-32864)

COMMUNIST PARTY, USA
COUNTERINTELLIGENCE PROGRAM
INTERNAL SECURITY - C
(MARTIN LUTHER KING)

ReBulet 5/18/67 and NYlet to Bureau 5/25/67.

It is agreed that the Communist Party's (CP) interest in a peace ticket headed by MARTIN LUTHER KING and BENJAMIN SPOCK offers the appearance of a counterintelligence opportunity. The reference to this matter in Bureau letter dated 5/18/67 obviously relates to the Presidential elections of November, 1968.

=====

A reporter or columnist of national stature, properly briefed, could write an excellent account of the KING-SPOCK ticket. It is the sort of article or series expected of a first rate reporter with first rate sources.

It is suggested that the Bureau consider our comments as reflected above. Consider also a top columnist or reporter who might be interested in the KING-SPOCK story. It is emphasized that this person should be respected for his balance and fair-mindedness. An article or series by an established conservative would not adequately serve our purposes. In this area the Bureau might desire to consider a [redacted] A former confidant of [redacted] he has excellent sources throughout the government and is not too close to the [redacted] to be branded as a propagandist. [redacted]

[redacted] also would [redacted] the charge that he is attempting to discredit these men. Left standing would be the realization that [redacted] had good sources and came up with [redacted] in the midst of the Presidential campaign. And [redacted] would not be about to divulge the identity of his sources. Thus the Bureau would stand harmless.

It is not known whether the Bureau has information which would make [redacted] selection undesirable. If his selection is not feasible, there are others in the [redacted] field who could serve as well. But it is clear that this man [redacted] and should not be a protagonist for either those of the "hawk" or "dove" persuasion.

Since the contact with [redacted] would be made in [redacted] no specific recommendation is being made at this time.

FBI tried to manipulate vote of NAACP, files indicate

By Sean Toolan CT 7/30/79

COPIES OF FBI documents released Sunday indicate that the Chicago FBI office planned to manipulate a National Association for the Advancement of Colored People [NAACP] election in Chicago in 1959.

The documents, presented at a press conference at the Bismarck Hotel by Richard Gutman, a lawyer representing the Alliance to End Repression in a suit against the Chicago Police Department, also indicate that the Federal Bureau of Investigation office in Chicago suggested methods for sabotaging a planned 1968 Martin Luther King-Benjamin Spock campaign for President.

Gutman obtained the documents under the Freedom of Information Act, which gives the public access to previously secret government documents. The group has obtained previous FBI documents for use in the suit, which seeks to halt government spying on such groups.

The documents describe how the Chicago FBI office, through an infiltrator, learned that the NAACP's so-called "left caucus" planned to run a slate of candidates for delegates to the NAACP national convention.

THE FBI SENT an anonymous letter and made an anonymous phone call to Theodore A. Jones, then president of Chicago NAACP, telling him that "two Communists" were on the slate, according to the documents.

The FBI went on to report that Jones kept the location of the delegate elections secret, and that Jones "packed the

meeting with members of the United Steel Workers Union whom Jones had enfranchised for the meeting."

THE FBI HERE concluded in its report that "Chicago feels it has played a definite part in the defeat of a 'left caucus,' an attempt by the CP [Communist Party] to infiltrate a 'right led' organization."

J. Edgar Hoover, then the director of the FBI, later recommended a commendation for the agent who "suggested the anonymous letter," according to the documents.

Timuel D. Black, a professor of social science at Loop College, said Sunday he was a member of the so-called "left caucus" at the time and a candidate for the board of directors of the Chicago NAACP chapter.

"I was very shocked and a bit enraged to learn that the taxpayer-supported FBI had been interfering with the democratic process they were supposed to protect."

HE SAID HE knew something unusual was happening in the local NAACP when its members weren't even able to find out when and where meetings were being held.

"And when we found out about the meetings and went to them," Black said, "they were held in a high-handed, dictatorial manner. The decisions were arbitrary. We were cut off and cut out."

Black said members of the "left caucus" thought it was Chicago's Democratic machine that was interfering with their organization.

In 1967, according to the documents,

the FBI here suggested a campaign to sabotage the King-Spock presidential campaign by recommending the name of a newspaper columnist to write an article attacking the campaign as "Communist-backed." Spock ran for president and King for vice president on the ticket.

THE DOCUMENTS released Sunday also indicate that the FBI here planned to "discredit Students for a Democratic Society [a radical group] in the eyes of the Negro community. And by appropriate sources organize an anti-SDS demonstration by a group of Negroes accusing the SDS of being white-oriented."

Other documents indicate the FBI tried to remove Herbert Mohammad as a possible successor to his father as head of the Nation of Islam, by going through his tax returns for possible irregularities.

Gutman charged that the files are "proof of the Chicago FBI's massive organized campaign of disrupting the exercise of First Amendment rights, of promoting enmity between groups, of disseminating derogatory information, and of manipulating the mass media."

THE ALLIANCE to End Repression and 32 other groups have presented the FBI files as evidence for a suit filed in November, 1974, which seeks a court declaration that the government spying be halted permanently.

Asked if he thought FBI spying was still going on, Gutman said: "It was supposed to have ended in 1970, but many cases we have show it continued after then."

To: SAC, Chicago (100-32864)

From: Director, FBI (100-3-104)

The Bureau was pleased to note that the "left caucus" was badly defeated in its efforts to elect nine candidates as delegates to the 1959 convention of the National Association for the Advancement of Colored People (NAACP) at the Chicago branch meeting of the NAACP in Chicago on 5-22-59.

It is suggested that if you have not already done so, you may desire to submit your recommendations for commendation of the Agent who suggested the technique of the anonymous letter to Theodore A. Jones, president of the Chicago branch of the NAACP, which apparently played a major role in alerting Jones to the danger the Communist Party posed to his organization.

3/4/68

AIRTEL

1 - Mr. C. D. DeLoach
 1 - Mr. W. C. Sullivan
 1 - Mr. G. C. Moore
 1 - [REDACTED]
 1 - [REDACTED]

To: SAC, Albany

PERSONAL ATTENTION

REC 18

From: Director, FBI (100-443006) - 17

COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST-HATE GROUPS
 RACIAL INTELLIGENCE

Title is changed to substitute Racial Intelligence
 for Internal Security for Bureau routing purposes.

PERSONAL ATTENTION FOR ALL THE FOLLOWING SACS

2 - Atlanta	2 - Minneapolis
2 - Baltimore	2 - Mobile
2 - Birmingham	2 - Newark
2 - Boston	2 - New Haven
2 - Buffalo	2 - New Orleans
2 - Charlotte	2 - New York
2 - Chicago	2 - Omaha
2 - Cincinnati	2 - Philadelphia
2 - Cleveland	2 - Phoenix
2 - Denver	2 - Pittsburgh
2 - Detroit	2 - Portland
2 - Houston	2 - Richmond
2 - Indianapolis	2 - Sacramento
2 - Jackson	2 - San Diego
2 - Jacksonville	2 - San Francisco
2 - Kansas City	2 - Seattle
2 - Los Angeles	2 - Springfield
2 - Memphis	2 - St. Louis
2 - Miami	2 - Tampa
2 - Milwaukee	2 - WFO

JD:rm (88)

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 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE.

SEE NOTE PAGE SIX

5-4 MAR 18 1968

MAIL ROOM ☐ TELETYPE UNIT ☐

Airtel to SAC, Albany
 RE: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST-HATE GROUPS

BACKGROUND

By letter dated 8/25/67 the following offices were advised of the beginning of a Counterintelligence Program against militant Black Nationalist-Hate Groups:

Albany	Memphis
Atlanta	Newark
Baltimore	New Orleans
Boston	New York
Buffalo	Philadelphia
Charlotte	Phoenix
Chicago	Pittsburgh
Cincinnati	Richmond
Cleveland	St. Louis
Detroit	San Francisco
Jackson	Washington Field
Los Angeles	

Each of the above offices was to designate a Special Agent to coordinate this program. Replies to this letter indicated an interest in counterintelligence against militant black nationalist groups that foment violence and several offices outlined procedures which had been effective in the past. For example, Washington Field Office had furnished information about a new Nation of Islam (NOI) grade school to appropriate authorities in the District of Columbia who investigated to determine if the school conformed to District regulations for private schools. In the process WFO obtained background information on the parents of each pupil.

The Revolutionary Action Movement (RAM), a pro-Chinese communist group, was active in Philadelphia, Pa., in the summer of 1967. The Philadelphia Office alerted local police, who then put RAM leaders under close scrutiny. They were arrested on every possible charge until they could no longer make bail. As a result, RAM leaders spent most of the summer in jail and no violence traceable to RAM took place.

The Counterintelligence Program is now being expanded to include 41 offices. Each of the offices added to this program should designate an Agent familiar with black

Airtel to SAC, Albany
 RE: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST-HATE GROUPS

nationalist activity, and interested in counterintelligence, to coordinate this program. This Agent will be responsible for the periodic progress letters being requested, but each Agent working this type of case should participate in the formulation of counterintelligence operations.

GOALS

For maximum effectiveness of the Counterintelligence Program, and to prevent wasted effort, long-range goals are being set.

1. Prevent the coalition of militant black nationalist groups. In unity there is strength; a truism that is no less valid for all its triteness. An effective coalition of black nationalist groups might be the first step toward a real "Mau Mau" in America, the beginning of a true black revolution.
2. Prevent the rise of a "messiah" who could unify, and electrify, the militant black nationalist movement. Malcolm X might have been such a "messiah;" he is the martyr of the movement today. Martin Luther King, Stokely Carmichael and Elijah Muhammad all aspire to this position. Elijah Muhammad is less of a threat because of his age. King could be a very real contender for this position should he abandon his supposed "obedience" to "white, liberal doctrines" (nonviolence) and embrace black nationalism. Carmichael has the necessary charisma to be a real threat in this way.
3. Prevent violence on the part of black nationalist groups. This is of primary importance, and is, of course, a goal of our investigative activity; it should also be a goal of the Counterintelligence Program. Through counterintelligence it should be possible to pinpoint potential troublemakers and neutralize them before they exercise their potential for violence.
4. Prevent militant black nationalist groups and leaders from gaining respectability, by discrediting them to three separate segments of the community. The goal of discrediting black nationalists must be handled tactically in three ways. You must discredit these groups and individuals to, first, the responsible Negro community. Second, they must be discredited to the white community,

Airtel to SAC, Albany
 RE: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST-HATE GROUPS

both the responsible community and to "liberals" who have vestiges of sympathy for militant black nationalist simply because they are Negroes. Third, these groups must be discredited in the eyes of Negro radicals, the followers of the movement. This last area requires entirely different tactics from the first two. Publicity about violent tendencies and radical statements merely enhances black nationalists to the last group; it adds "respectability" in a different way.

5. A final goal should be to prevent the long-range growth of militant black nationalist organizations, especially among youth. Specific tactics to prevent these groups from converting young people must be developed.

Besides these five goals counterintelligence is a valuable part of our regular investigative program as it often produces positive information.

TARGETS

Primary targets of the Counterintelligence Program, Black Nationalist-Hate Groups, should be the most violent and radical groups and their leaders. We should emphasize those leaders and organizations that are nationwide in scope and are most capable of disrupting this country. These targets should include the radical and violence-prone leaders, members, and followers of the:

Student Nonviolent Coordinating Committee (SNCC),
 Southern Christian Leadership Conference (SCLC),
 Revolutionary Action Movement (RAM),
 Nation of Islam (NOI)

Offices handling these cases and those of Stokely Carmichael of SNCC, H. Rap Brown of SNCC, Martin Luther King of SCLC, Maxwell Stanford of RAM, and Elijah Muhammed of NOI, should be alert for counterintelligence suggestions.

INSTRUCTIONS

Within 30 days of the date of this letter each office should:

1. Advise the Bureau of the identity of the Special Agent assigned to coordinate this program.

Airtel to SAC, Albany
RE: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST-HATE GROUPS

The effectiveness of counterintelligence depends on the quality and quantity of positive information available regarding the target and on the imagination and initiative of Agents working the program. The response of the field to the Counterintelligence Program against the Communist Party, USA, indicates that a superb job can be done by the field on counterintelligence.

Counterintelligence operations must be approved by the Bureau. Because of the nature of this program each operation must be designed to protect the Bureau's interest so that there is no possibility of embarrassment to the Bureau. Beyond this the Bureau will give every possible consideration to your proposals.

NOTE:

See memorandum G. C. Moore to Mr. W. C. Sullivan captioned as above dated 2/29/68, prepared by TJD:rmm.

ROUTE IN ENVELOPE

SAC, Chicago

Director, FBI (100-448006)

1 - [REDACTED] Justice
 May 15, 1968
 1 - [REDACTED]
PERSONAL ATTENTION

COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 RACIAL INTELLIGENCE
 (RICHARD CLAXTON GREGORY)

ReBulet 4/23/68.

Chicago airtel and LHM dated 5/2/68 and captioned "Richard Claxton Gregory" concern a speech by Gregory on 4/23/68 where he noted that "Syndicate hood's (are) living all over. They are the filthiest snakes that exist on this earth." Referenced Bulet instructed you to develop counter-intelligence action concerning militant black nationalist Dick Gregory.

Consider the use of this statement in developing a counterintelligence operation to alert La Cosa Nostra (LCN) to Gregory's attack on LCN. It is noted that other speeches by Gregory also contain attacks on the LCN. No counterintelligence action should be taken without Bureau authority.

TJD:pag/mrm
 (5) - (11)

NOTE:

Teletype from New Orleans to Director, 5/30/68, captioned "Richard Claxton Gregory" reported speech by Gregory referring to the Director and FBI Agents in derogatory terms. The Director noted, on the informative note of [REDACTED] teletype which said we would recommend counterintelligence action against Gregory when indicated, "Right."

Tolson _____
 DeLoach _____
 Mohr _____
 Bishop _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

MAY 23 1968

MAY 20 1968

TELETYPE UNIT ☐

REC-7 100

MAY 15 1968

Memorandum

PLANTIFF'S
EXHIBIT

6 #

23

TO : SAC, Baltimore

DATE: 11/25/68

FROM : Director, FBI

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST HATE GROUPS
RACIAL INTELLIGENCE (BLACK PANTHER PARTY)

For the information of recipient offices a serious struggle is taking place between the Black Panther Party (BPP) and the US organization. The struggle has reached such proportions that it is taking on the aura of gang warfare with attendant threats of murder and reprisals.

In order to fully capitalize upon BPP and US differences as well as to exploit all avenues of creating further dissension in the ranks of the BPP, recipient offices are instructed to submit imaginative and hard-hitting counterintelligence measures aimed at crippling the BPP.

Commencing December 2, 1968, and every two-week period thereafter, each office is instructed to submit a letter under this caption containing counterintelligence measures aimed against the BPP. The bi-weekly letter should also contain accomplishments obtained during the previous two-week period under captioned program.

All counterintelligence actions must be approved at the Bureau prior to taking steps to implement them.

Chicago

ROUTE IN ENVELOPE

May 27, 1969

Airtel

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1

To: SAC, San Francisco (157-601)

From: Director, FBI (100-448006)

C
COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE
BLACK PANTHER PARTY (BPP)
BUDED: 6/9/69

PERSONAL ATTENTION

ReSFairtel 5/14/69.

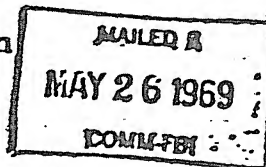
A review has been made of referenced airtel which contains your thoughts on the Counterintelligence Program (CIP).
// Your reasoning is not in line with Bureau objectives as to our responsibilities under the CIP.

You state that while the Department of Justice considers the BPP as a violence-prone organization seeking to

- 1 - Atlanta
- 1 - Baltimore
- 1 - Boston
- 1 - Chicago
- 1 - Denver
- 1 - Detroit
- 1 - Los Angeles
- 1 - Newark
- 1 - New Haven
- 1 - New York
- 1 - Seattle
- 1 - WFO

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holloman _____

JAM:klw/ekw
(19)



100-448006-964

MAY 28 1969

98 JUN 4 1969 TELETYPE UNIT ☐

Airtel to SAC, San Francisco
RE: COUNTERINTELLIGENCE PROGRAM,
BLACK PANTHER PARTY
100-448006

overthrow the Government by revolutionary means, "There seems to be little likelihood of this." All information developed to date leads to the obvious conclusion that this group is dedicated to the principle of violent overthrow and will go to any length to further this aim.

You point out that the activities of the BPP have reached the black and white communities as evidenced by their weekly newspaper which has reached a circulation of 45,000. You have previously been instructed to review your files concerning this newspaper to determine whether we could disrupt the mailings of the publication. Your answer stated that you were not in a position to do this. You must immediately take positive steps to insure that we will be in a position to accomplish CIP objectives including the disruption of the mailing of their publications. You must develop adequate informant coverage to insure that we are in a position to accomplish all of our objectives, which include steps to counteract the impact this group has made.

You state that local and national newspapers continue to publicize information concerning the BPP. This fact automatically lends itself toward mass media disseminations to capitalize on this eagerness and to isolate the organization from the majority of Americans, both black and white. The dissemination of mass media information to selected and trusted newspapermen, pointing out the violent and dangerous nature of a group, has contributed measurably to the decline of the Ku Klux Klan in the United States. Newspapers will print derogatory information much easier than they will print commendatory information, especially if the organization is by its nature violence-prone. For your information the San Diego Office has waged an effective CIP against the BPP which has measurably resulted in declining activities and considerable disruption.

Airtel to SAC, San Francisco
 RE: COUNTERINTELLIGENCE PROGRAM,
 BLACK PANTHER PARTY
 100-448006

It is noted that BPP leader Bobby Seale speaks in schools and universities and receives fees of up to \$1,000. This raises counterintelligence opportunities, among which are anonymous disseminations of derogatory information to universities and misuse of funds received.

As it concerns the BPP, you point out that results achieved by utilizing counterintelligence ideas such as publicizing the evils of violence, the lack of morals, the widespread use of narcotics and anonymous mailings, have not been outstanding. This is because a typical black supporter of the BPP is not disturbed by allegations which would upset a white community. You must recognize that one of our primary aims in counterintelligence as it concerns the BPP is to keep this group isolated from the moderate black and white community which may support it. This is most emphatically pointed out in their Breakfast for Children Program, where they are actively soliciting and receiving support from uninformed whites and moderate blacks. In addition, we have received information from San Francisco and other offices indicating that BPP officials are extremely suspicious of each other as to monies received. This also is a fertile ground for CIP and should be explored.

ReSFairtel states that nation-wide mailings to BPP chapter offices would automatically indicate that the FBI was the source. Mailings originating from Oakland, California, would logically be attributed to someone either at national headquarters of the BPP or a dissident who has recently resigned and had access to the records.

You state that the Bureau under the CIP should not attack programs of community interest such as the BPP "Breakfast for Children." You state that this is because many prominent "humanitarians," both white and black, are interested in the program as well as churches which are actively supporting it.

Airtel to SAC, San Francisco
RE: COUNTERINTELLIGENCE PROGRAM,
BLACK PANTHER PARTY
100-448006

27

You have obviously missed the point. The BPP is not engaged in the "Breakfast for Children" program for humanitarian reasons. This program was formed by the BPP for obvious reasons, including their efforts to create an image of civility assume community control of Negroes, and to fill adolescent children with their insidious poison. An example of this is set forth in the May 11, 1969, issue of "The Black Panther." Page seven contains an article captioned "Black Panther Revolutionary Wedding." The article points out that two members of the Panthers were married at a church in Oakland, California, which is participating in the Breakfast Program. The crowd consisted mostly of Panther members and children from the Breakfast Program. Instead of a Bible, Bobby Seale used the "Red Book Quotations from Chairman Mao Tse-tung" to perform the marriage. After the ceremony, the children sang "We Want a Pork Chop Off the Pig."

The CIP in the San Francisco Office must be re-evaluated. During the reevaluation, give thorough consideration to the adequacy of the personnel assigned. Insure that you are utilizing the best personnel available in this program. Advise the Bureau of the results of your reevaluation by June 9, 1969.

Referenced airtel mentions several specific CIP proposals now pending. Instructions will be furnished pertinent offices by separate communication.

NOTE: San Francisco has furnished an evaluation of the CIP in that office as it affects the BPP. That office is not in line with Bureau objectives in the use of counterintelligence. We are calling attention to their derelictions and point out various situations where they should have proposed counterintelligence. We are calling for a reevaluation of the whole thinking behind counterintelligence in the San Francisco Office.

To: DIRECTOR FBI (100-448006) From: SAC, Jackson (100-980) (P) 12/2/70
 II. OPERATIONS BEING EFFECTED III. TANGIBLE RESULTS

=====

Since March, 1968, the Republic of New Africa (RNA) has been attempting to start a separate black nation in five southern states, starting with Mississippi. In this regard, the RNA has been trying to buy and lease land in Mississippi in the Jackson Division on several past occasions. (Counter-intelligence measures has been able to abort all RNA efforts to obtain land in Mississippi.)

In late July, 1970, RICHARD HENRY, aka Brother Imari, leader of the RNA, came to Jackson, Mississippi, accompanied by many out-of-state supporters to hold a national RNA meeting "on the land of the nation in Mississippi". This conference was disruptive and ineffective due to Jackson Division, Bureau-approved counterintelligence measures.

In mid-September, 1970, Brother IMARI and a few close associates of his came to look at land which was for sale in rural Hinds County, Mississippi, near Jackson; this land was owned by a Negro male who was retiring and owned over 560 acres. Jackson informants advised Bureau Agents of developments regarding this land and the fact that the owner of the land, [REDACTED], N/M, had advised Brother IMARI he will lease or sell him ten to twenty acres. RNA leaders, including Brother IMARI, were delighted over this land purchase or leasing prospect. Jackson informants were directed by contacting Agents to approach [REDACTED] privately and indicate to him that his selling land to Brother IMARI would not be a wise endeavor. Additionally, on 10/9/70, [REDACTED] was interviewed by Bureau Agents and advised of the true nature and violence potential of the RNA and its leaders. The interview lasted 1½ hours; following the interview, [REDACTED] indicated he would reconsider whether he would sell or lease any land to the RNA; on 10/21/70, Bureau Agents interviewed [REDACTED] who was assisting the RNA in their dealings with [REDACTED] regarding the land. The true nature and violence potential of the RNA and its leaders was explained to [REDACTED]

As a result of the above counterintelligence efforts, the land which the RNA had almost finalized plans regarding purchasing or leasing in rural Hinds County, Miss., has not been sold or leased to them. Jackson has maintained contact with [REDACTED] and he has advised he has no plans to lease or sell any land to the RNA in the immediate future. There have been no recent visits by top officials of the RNA to Mississippi regarding the land, it being noted they made several visits in September, 1970, when their prospects for the land purchase or leasing was good.

As a result of the above, intensive efforts of the RNA to obtain land in Mississippi over the past

Bare Hoover's smear tactic

WASHINGTON (AP) — The late FBI Director J. Edgar Hoover approved a plan to discredit a Midwest black militant leader with anonymous letters accusing him of adultery and of being a bureau informant, according to FBI documents.

The documents, made available by the Senate intelligence committee, show that the bureau's campaign against the Rev. Charles E. Koen lasted from 1968 to 1971 and was approved at each step of the way by Hoover. However, it was unclear whether the letters were ever actually sent to Mr. Koen, who a committee spokeswoman said is a minister in Cairo, Ill.

According to the FBI documents, the campaign against Mr. Koen began in November, 1968, with a proposal by St. Louis FBI officials to send him an anonymous letter criticizing him for referring to the possible use of violence in his public speeches.

THE LETTER would purport to be from members of Students for a Democratic Society in St. Louis and "would have an adverse effect on the consolidatory efforts of the SDS and the Black Liberators," according to the proposal approved by Hoover.

Two months later, Hoover authorized the FBI's Baltimore office to send an anonymous letter to the No. 2 man in the Black Liberator movement informing him that Mr. Koen was working for either the CIA or FBI. The letter, signed "A Soul Brother," said Mr. Koen "was in Baltimore last week and spent most of his time in the Justice Building. Don't know whether that cat was talking to CIA or FBI."

The FBI documents also include a 1969 memo from the head of the FBI's St. Louis office who claims the campaign forced Mr. Koen's resignation

as head of the Black Liberators, a black militant group.

IN FEBRUARY, 1969, after Mr. Koen had resigned as head of the Black Liberators, the FBI chief in St. Louis proposed mailing an anonymous letter designed "to alienate (Koen) from his wife and cause suspicion among the Black Liberators that they have a dangerous troublemaker in their midst," an FBI document said.

The anonymous letter would be sent to Mrs. Koen telling her that her husband has "been making it here with Sister Marva Bass and Sister Tony and then he gives us this jive 'bout their (sic) better in bed then (sic) you."

It was to be followed by sending a copy of the anonymous letter to Mr. Koen with the note "I understand she recently received this letter . . . I suggest you look into this matter."

IN A MEMO authorizing the

operation, Hoover directed the agents to "use commercially purchased stationery and take the other precautions set out to insure this cannot be traced to this bureau."

The next and final step in the FBI campaign against Mr. Koen came in February, 1971, when Hoover approved a proposal for circulating a cartoon sketch of Mr. Koen that "would emphasize the cost of Mr. Koen's attire and leisure as to the source of his funds."

At that time, Mr. Koen was head of the United Front in Cairo, which, according to the FBI memo, was a "predominately black organization which has been boycotting white merchants in Cairo for the past 20 months."

The plan to send the cartoon was proposed because "it is felt that any diminution of Mr. Koen's support in Cairo would be beneficial since he appears to be the single most important cause of confrontations occurring in Cairo."

St. Louis
Post-Dispatch
11/30/75

Cairo Pastor Says FBI Lied To Bishop

By MARTHA SHIRK
Of the Post-Dispatch Staff

The Federal Bureau of Investigation sent an anonymous letter to the ranking bishop of the Episcopal Church of the United States in 1971 in an attempt to discredit the United Front of Cairo, Ill., and to dry up its major source of funds, says the Rev. Charles Koen, the United Front's leader.

He said documents scheduled to be made public this week by the United States Senate Select Committee on Intelligence would disclose a pattern of harassment, including attempts to cause disagreements among the leaders of the Cairo group, provoke marital squabbles and cut off its outside financial support.

He said a committee staff member

had traveled to Cairo in recent days and had shown him the letter in question. The staff member, reached by telephone Friday night, refused to comment and would say only that the facts would be disclosed this week.

The Rev. Mr. Koen said the staff member had told him that the FBI had sent an anonymous letter in 1971 to the Right Rev. John E. Hines, then the presiding bishop of the Episcopal Church.

The letter, which was written from the viewpoint of a concerned parishioner, called the United Front a violent organization and said its leaders had used donations from the church to buy weapons, the Rev. Mr. Koen said.

In 1970, the national Episcopal Church donated more than \$75,000 to the United

Front, a community-based self-help group with branches in East St. Louis and St. Louis. But the Rev. Mr. Koen said in an interview Friday that the church had denied the group a contribution for the next three years.

"And now we know why," he commented.

In 1969, the United Front, headed by the Rev. Mr. Koen, conducted boycotts and demonstrations against white-owned businesses in Cairo in an attempt to force the hiring of more black employees. Racial strife, and often exchanges of gunfire between the white and black communities, continued into the 1970s. The Rev. Mr. Koen, 29 years old, is assistant pastor of Cairo's First Missionary Baptist Church.

CODE

OCTOBER 23, 1968

TELETYPE

SENT BY CODED TELETYPE

URGENT

TO: SACs, CHICAGO
CINCINNATI
CLEVELAND
DENVER
MIAMI
NEW YORK
SAN FRANCISCO

1 - Mr. Sullivan
(Route through
for review)

1 - Mr. Deily

VIA TELETYPE
559P MXS
OCT 23 1968
5:23 PM PAD
ENCIPHERED

FROM: DIRECTOR, FBI

DISURBANCES ARISING OUT OF DEMOCRATIC NATIONAL CONVENTION

ARL

FOR YOUR CONFIDENTIAL INFORMATION, DEPARTMENT PLANS TO SEEK
INDICTMENTS IN IMMEDIATE FUTURE CHARGING APPROXIMATELY TWENTY
PRINCIPAL LEADERS AND ACTIVISTS OF VARIOUS NEW LEFT ORGANIZATIONS
WITH CONSPIRACY TO VIOLATE AND SLASH OR SUBSTANTIVE VIOLATIONS OF
ANTIRIOT LAWS PARENTHESIS TITLE EIGHTEEN, SECTIONS TWO FOUR FIVE,
TWO ONE ZERO ONE, TWO ONE ZERO TWO OR TWO THREE ONE CLOSE
PARENTHESIS IN INSTANT MATTER. A SUCCESSFUL PROSECUTION OF THIS
TYPE WOULD BE A UNIQUE ACHIEVEMENT FOR THE BUREAU AND SHOULD
SERIOUSLY DISRUPT AND CURTAIL THE ACTIVITIES OF THE NEW LEFT.

IT IS THEREFORE IMPERATIVE THAT THE FBI DO EVERYTHING POSSIBLE
TO PROVIDE THE ADMISSIBLE EVIDENCE REQUIRED BY THE DEPARTMENT TO

PROCEED.

RUD/lrk
(4)

SEE NOTE PAGE SEVEN

61 OCT 28 1968

TELETYPE UNIT

19 OCT 24 1968

AMERICAN INDIAN MOVEMENT~~CONFIDENTIAL~~

The government's right to continue full investigation of AIM and certain affiliated organizations may create relevant danger to a few citizen's privacy and free expression, but this danger must be weighed against society's right to protect itself against current domestic threats.

The Supreme Court has observed that "unless the government safeguards its own capacity to function and to preserve the security of its people, society itself could become so disorderly that all rights and liberties would be endangered." United States v. United States District Court, 407 U. S. 297, 312 (1972).

2. Scope of Investigation

Investigative Techniques

The key to the successful investigation of AIM is substantial, live, quality informant coverage of its leaders and activities. In the past, this technique proved to be highly effective, [REDACTED]

[REDACTED] As a result of certain disclosures regarding informants, AIM leaders have dispersed, have become extremely security conscious and literally suspect everyone. This paranoia works both for and against the movement and recent events support this observation. [REDACTED]

When necessary, coverage is supplemented by certain techniques which would be sanctioned in preliminary and limited investigations.

Physical surveillance is another useful technique and should be utilized when deemed appropriate.

No mail covers or electronic surveillance have been used to investigate AIM and none is anticipated at this time. [REDACTED] //

FBI

Date: 1/2/70

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

AIR MAIL

(Priority)

TO: DIRECTOR, FBI (100-449698)
 FROM: *WVS* S.C., HOUSTON (105-2275)
 SUBJECT: COUNTERINTELLIGENCE PROGRAM
 INTERNAL SECURITY - DISRUPTION
 OF THE NEW LEFT

RE: HOairtel, 9/30/69.

I. Potential Counterintelligence Action

Houston Office has during recent months obtained letterhead stationery from the United Farm Workers Organizing Committee, Delano, California, which stationery was being considered for use in a counterintelligence-type letter to the organization in connection with the interest previously shown on behalf of the grape pickers strike by the Houston SDS people. During the recent several months, the SDS group have not expressed any interest in the grape pickers strike as they have previously, and any counterintelligence move utilizing the contemplated letter, would at this time, be inopportune. In the event interest again is generated by the SDS on behalf of the grape pickers strike, a specific proposal will be made.

EX-109 REG-33 100-449698-19

Informants have advised that SDS people in Houston who are currently residing at 5003 Austin are currently selling and using marijuana at this address. Informants stated also that there is a good possibility that the supply of marijuana is kept by one of the individuals living at this address. This information has been related to appropriate narcotics people at the Houston PD and also the Federal Narcotics Bureau in Houston. In the event additional specifics are obtained in this regard, appropriate authorities will be advised in an effort to disrupt the New

Bureau (RM)

1 - Houston

DCS:sm

7 Approv(8):

Sent

M

Per

Special Agent in Charge

JAN 5 1970
INT. SEC.

Black Panther 2/4/78

F.B.I.'S MEXICAN COINTELPRO PLAN REVEALED

(Mexico City, Mexico) - The Federal Bureau of Investigation (FBI) conducted an intense campaign of violence, harassment and disruption against activists in Mexico, recently released FBI files have shown.

The Bureau's Mexican activities were similar to the notorious COINTELPRO operations in the U.S., directed against militant Black groups, the antiwar movement and other so-called "subversive" activities. In Mexico, the FBI organized and fomented bombings, shootings, and murder attempts. Bureau agents also worked closely with the U.S. border cops, against both Mexican and Chicano activists.

The campaign was carried out with the collaboration and tacit support of the Mexican government.

The FBI's disruption campaign was the subject of a recent four-part series in the Mexico City daily paper *Excelsior*. The articles were based on FBI files disclosed through the Freedom of Information Act. Virtually none of the files' contents on Mexico has been reported in U.S. media, the *Militant* reports.

Excelsior reported that the FBI's activities were stepped up between 1967 and 1970, a period marked by the rise of mass struggles in Mexico.

Many of the documents described by *Excelsior* were confidential memos from then FBI Director J. Edgar Hoover to the legal attache of the American Embassy in Mexico City. The legal attache in most American embassies, according to former CIA agent turned Marxist Philip Agee, is in reality the head of the local FBI operation.

that the Bureau's Mexican activities were to be kept top secret — obviously to cover the fact that the FBI, supposedly "restricted" to domestic surveillance, actually carries out illegal operations abroad.

In 1967, *Excelsior* reported, Hoover sent instructions to the FBI in Mexico City to prepare a plan for disrupting "subversive" student groups.

Later in 1967, the FBI head in Mexico's capital received congratulations from Hoover. The chief was "pleased by the wave of nighttime machine gunnings to divide subversive leaders."

These shootings bear remarkable similarity to plans carried out by the FBI in the U.S. to provoke disputes between Black groups that could lead to violence. The Black Panther Party was a prime target of such tactics.

Hoover also congratulated the "legal attache" in Mexico City for the "effective and strategic detonation of bombs" that the FBI had arranged or provoked.

In 1968, according to *Excelsior*, "the terrorist activity of the FBI was intensified as part of a broadening of counterintelligence operations."

Meanwhile, in Mexico, a powerful movement of students and working people demanding release of political prisoners had arisen. The movement frightened the Mexican government — and the FBI. A 1968 memo from Hoover reveals the FBI's infiltration of the movement: "With only 10 men in the demonstration that the radicals (students) are going to hold, it is not sufficient to consummate the plans that have been made," *Excelsior* quotes.

The Mexican government moved quickly to crush the

growing movement. On October 2, 1968, a peaceful demonstration of thousands of people at the Tlatelolco Plaza in Mexico City was fired on by police and troops. Hundreds of protesters were killed.

The government minister responsible for the massacre, Luis Echeverria, became the president of Mexico in 1970. Echeverria had been a close contact of the CIA, Philip Agee reported in *Inside the Company*. The FBI continued its close collaboration with the Mexican government under the Echeverria administration, the files show.

A 1971 memo from Hoover tells the FBI's agents in Mexico to "make sure that the disruptions will be carried out by our undercover agents in meetings with subversive students without endangering the life of [name deleted]," *Excelsior* reported, explaining that this was an "indirect reference" to Echeverria.

FBI agents posed as agents of the Immigration and Naturalization Service (INS) to question people who "could be of interest in relation to national security," *Excelsior* quotes one memo.

Stories were planted by agents in border city newspapers urging citizens to inform on sons and daughters of neighbors who might be "subversives."

When mere harassment was insufficient, the FBI resorted to out-and-out frame-ups. One memo admits that U.S. police planted illegal drugs — heroin, cocaine, and marijuana — in the cars of Chicano leaders.

Mexican government agencies routinely collaborated with and turned over information to the FBI □

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. C. D. Brennan, 1 - Mr. Mohr

FROM : G.C. Moore *GCM*

SUBJECT: COINTELPRO - BLACK EXTREMISTS
RACIAL MATTERS

1 - Mr. Sullivan
1 - Mr. J.J. Casper
1 - Mr. W.M. Felt
1 - Mr. C.D. Brennan

DATE: 3/25/71

1 - Mr. G.C. Moore

1 -
1 -
1 -
1 -

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

To recommend 90-day progress letters submitted by 43 offices participating in this program be discontinued.

COINTELPRO is code word for counterintelligence program. By memorandum 2/29/68 the Director authorized submission of 90-day progress letters concerning captioned program for purpose of stimulating thinking in offices where black extremist activities are concentrated. Forty-three offices are currently participating in this project.

This program has as its objectives the neutralization of black extremist groups, the prevention of violence by these groups and the prevention of coalition of black extremist organizations. Since these offices have participated significantly in this program, it is felt we can now relax our administrative procedures by eliminating the 90-day letter. We will not suffer from this discontinuance as continued participation in this program by field is followed by individual Supervisors in Racial Intelligence Section, Domestic Intelligence Division. In addition, the Inspection Division analyzes each office's participation in this program during field office inspections. In view of the above and to streamline our operations, it is recommended these progress letters be discontinued. No change is required in any Bureau manuals.

ACTION:

REC-20

If approved, the attached airtel advising of discontinuance of these 90-day letters will be forwarded to offices participating in this program.

Enclosure
100-448006

WHA:sef

97 APR 5 1971

Part Two: Violent Methods and Tactics

FBI counterintelligence employed its most violent and illegal tactics against third world liberation movements, especially the Black Panther Party. They sought to provoke street gangs and other organizations such as the United Slaves organization in Southern California to engage in violence against the BPP. During 1969, four Panthers, including leaders Bunchy Carter and John Huggins, were killed by U.S. members (or FBI provocateurs) in incidents which the FBI helped to provoke and claimed credit for.

In Chicago, the FBI contemplated inciting the Mafia against Dick Gregory, and intentionally provoked Blackstone Ranger leader Jeff Fort in the hope that he would violently "retaliate" against Hampton and other Panther leaders. The Bureau, through their informants, falsely labelled Panthers and other Blacks as informants, although they recognized that this could lead to physical harm. Their most trusted informants, such as William O'Neal and Darthard Perry, acted as provocateurs, encouraging and participating in illegal and violent acts such as robberies, bombings, building electric chairs, and bullwhipping those they branded as informants. Other illegal tactics included forgery, wiretapping, burglaries, unauthorized use of Internal Revenue Service materials, interception of mail, and assassination.

One of their most violent counterintelligence policies was the use of raids on offices and homes of the Black Panther Party and other organizations throughout the country. In June of 1969, the FBI raided several Panther offices across the country, purportedly looking for George Sams, who later turned out to be an FBI provocateur. They would never apprehend him, but they would brand each raid a counterintelligence success after seizing or destroying almost everything in the offices, making bogus arrests, and generally disrupting the BPP.

Later in 1969 the policy changed. The FBI no longer executed the raids themselves, but employed local police forces--already at a fever pitch against the Panthers--to do their dirty work. In Chicago, FBI informant O'Neal obtained a floorplan of Fred Hampton's apartment, showing the bed upon which Hampton slept, which the FBI then gave to Edward Hanrahan's police who assassinated Hampton at 4:30 a.m. while he slept on that very bed. Four days later, in Los Angeles, the FBI passed a floorplan of the Panther offices to 300 L.A. police, who raided the offices in the early morning hours, and pumped thousands of rounds at the Panthers inside, who defended themselves and thereby miraculously avoided death.

In sum, FBI tactics of counterintelligence, as practiced against the Black liberation movement, were, and are, so violent, so unconstitutional, and so illegal, as to make a mockery of the law which the FBI is sworn to uphold.

POLICE GIVEN DATA ON BOAST BY ROWE

7/14/78

Reports May Back F.B.I. Informer in Klan on Killing in South

By HOWELL RAINES

Special to The New York Times

BIRMINGHAM, Ala., July 13 — Police sources here said today that they had information that might support Gary Thomas Rowe Jr.'s contention that he killed a black man during racial unrest in Birmingham in 1963, while Mr. Rowe was on the Federal Bureau of Investigation's payroll as an informer within the Ku Klux Klan.

The sources said a former Klansman and another man described as a Klan sympathizer told the police, in separate accounts, that Mr. Rowe had boasted to them that "I shot some niggers" during rioting that followed a double bombing in a black neighborhood.

A Birmingham police officer has also told city investigators that he saw Mr. Rowe with a pistol stuck in his belt near a police barricade like the one described by Mr. Rowe in his account of the killing.

Missing Report Is Sought

The investigators are now combing police files here for a missing report that they believe contains information about at least three unsolved shootings during the 1963 disturbances.

Meanwhile, another document has come to light that may add to the growing controversy over Mr. Rowe's involvement in racial violence while he was getting monthly payments from the F.B.I. In a statement to a Senate investigator in 1975, Mr. Rowe accused John Doar, former Assistant Attorney General for civil rights, of forcing him to change his account of the killing of Viola G. Liuzzo in 1965.

In the interview, Mr. Rowe said that Federal investigators ignored his report that a black man was also killed in Mrs. Liuzzo's car when Mr. Rowe and three Birmingham Klansmen chased down the Detroit woman's automobile on the night after she took part in a civil rights march from Selma to Montgomery. Mr. Rowe further alleged that Mr. Doar ordered him to keep silent when Mr. Rowe told Government prosecutors that he could not positively identify a black man called as a key Government witness as having been in the car with Mrs. Liuzzo at the time of the shooting.

The Liuzzo case brought Mr. Rowe national attention as the F.B.I.'s chief in-

former agent of the Klan in Alabama. He was later relocated and given a new identity by the bureau, and lives in an undisclosed location.

Mr. Rowe also told Senate investigators that the Justice Department, under its witness protection program, got him a job with a United States Marshal and allowed him to attend the Department of Justice Training Academy with 90 other Federal officers. Mr. Rowe charged that, because of his dispute with Mr. Doar, he was subsequently forced to resign the job, and that Marshal who employed him filed "false affidavits" in order to get Mr. Rowe an extra month's pay on which to find a job outside the Government.

Questioned in Church Bombing

When the authorities in Alabama reopened their investigations into the unsolved racial killings in the early 1960's, they contacted Mr. Rowe for information on the 1963 bombing that killed four black children at Sixteenth Street Baptist Church. But Mr. Rowe himself became a suspect in that case after two polygraph, or lie-detector, tests showed that he was giving "deceptive" answers when he denied having been with the group that planted the bomb.

Since that time there have been disclosures that indicate that Mr. Rowe may have participated in and helped to plan the Klan violence he was hired to observe.

A former leader of the Ku Klux Klan in Birmingham said today that Mr. Rowe helped direct the attacks on the Freedom Riders at a Birmingham bus station on May 15, 1961.

Mr. Rowe himself said, in an interview with Alabama investigators last fall, that he participated in the firebombing of the home of A. G. Gaston, a black millionaire, according to investigative documents.

In the same series of interviews, Mr. Rowe was quoted as saying he killed a black man during a riot here and was told by the F.B.I. agent to whom he regularly reported to keep quiet about the shooting. The agent named by Mr. Rowe has denied the report as "an absolute falsehood."

According to the Senate document that came to light today, Mr. Rowe said he was assured by F.B.I. agents here that his participation in violence had the personal endorsement of "The Man" — the late J. Edgar Hoover, then Director of the bureau.

'War' on the Klan

Mr. Rowe stated that "the quote to me was 'The Man has declared war on the Ku Klux Klan and that you are man enough to do, do it.'" Mr. Rowe stated that the "agent quivered, literally" in delivering this message and said "we don't have to worry about covering you any more."

The Birmingham Police Department's information about a possible shooting by Mr. Rowe was obtained, sources said, before disclosure by The New York Times that Mr. Rowe had told investigators that such a shooting took place.

The police inquiry here now is focusing on Mr. Rowe's activities after bombings

on the nights of May 11 and Sept. 4, 1963. Rioting of the sort described by Mr. Rowe took place on both nights. By the accounts of Mr. Rowe and others, according to investigative documents, Mr. Rowe was in the riot area on both occasions.

Account of Shooting

The documents show that Mr. Rowe told a state investigator that he came upon blacks attacking a taxicab on Eighth Avenue here and beating a woman passenger. When the rioters turned on him, Mr. Rowe is quoted as saying, he shot a black man through the chest. Then, Mr. Rowe is reported to have said, he went to a barricade and reported the shooting to a policeman and later, by telephone, to his F.B.I. "control" agent.

According to an investigative source, a Birmingham policeman has told detectives here that during the riot on May 11, "he came down Eighth Avenue and stopped and got out of his car and Rowe was standing there in the middle of the road in civilian clothes with a gun stuck in his belt."

Later that same night, according to an investigative document, a fellow Klansman saw Mr. Rowe and talked to him at a telephone booth at 3 A.M. "At that time, Rowe stated to him that he had been up-town shooting Negroes," the document stated.

In a separate interview, the companion of the Klansman who gave that report supported the account without prompting, investigative sources here said. Mr. Rowe was quoted as telling the two men: "There's been a bombing. The niggers are rioting. I shot some niggers."

However, the assault on the taxicab described by Mr. Rowe more closely matches an incident that took place on Sept. 4, after the bombings of the A. G. Gaston Motel and the home of the Rev. A. D. King, brother of the Rev. Dr. Martin Luther King Jr.

On that night, Mr. Rowe has told state investigators, he was riding with Birmingham policemen in the riot area when they came upon a taxicab whose driver and a woman passenger were under assault by rioters.

Chicago Tribune

BIRMINGHAM, Ala. [UPI]—A lawyer who defended three Ku Klux Klan members 10 years ago says an ex-FBI informer was involved with his clients in an attack resulting in the murder of civil rights worker Mrs. Viola Liuzzo.

"It was Gary Thomas Rowe who suggested the trip to Lowndes County to kill some of the civil rights workers," said Haynes, a former FBI agent and former Birmingham mayor.

"And we have him on record as saying in the courtroom that he had his gun out the window and was shooting along with the rest of them," he said.

UNITED STATES GOVERNMENT

Memorandum

37

TO : DIRECTOR, FBI (100-448006)

DATE: 11/29/68

FROM : SAC, LOS ANGELES (157-1751) (P)

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE

Re Los Angeles letter to Bureau dated 9/25/68.

I. OPERATIONS UNDER CONSIDERATION

The Los Angeles Office is currently preparing an anonymous letter for Bureau approval which will be sent to the Los Angeles Black Panther Party (BPP) supposedly from a member of the "US" organization in which it will be stated that the youth group of the "US" organization is aware of the BPP "contract" to kill RON KARENGA, leader of "US", and they, "US" members, in retaliation, have made plans to ambush leaders of the BPP in Los Angeles.

It is hoped this counterintelligence measure will result in an "US" and BPP vendetta.

Investigation has indicated that the Peace and Freedom Party (PFP) has been furnishing the BPP with financial assistance. An anonymous letter is being prepared for Bureau approval to be sent to a leader of PFP in which it is set forth that the BPP has made statements in closed meetings that when the armed rebellion comes the whites in the PFP will be lined up against the wall with the rest of the whites.

It is felt that this type of a letter could cause considerable disruption of the association between the BPP and the PFP.

In order to cause disruption between the BPP of Oakland, California, and the BPP of Los Angeles, an envelope is being prepared for Bureau approval which appears

2 - Bureau (RM)
1 - Los Angeles

LWS/dlg
(3)

REC-9

10 DEC 1968

4/66

11/11

100-448006-49

DIRECTOR, FBI [REDACTED]

SAC, SAN DIEGO [REDACTED]

COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE
(BPP)

III. TANGIBLE RESULTS

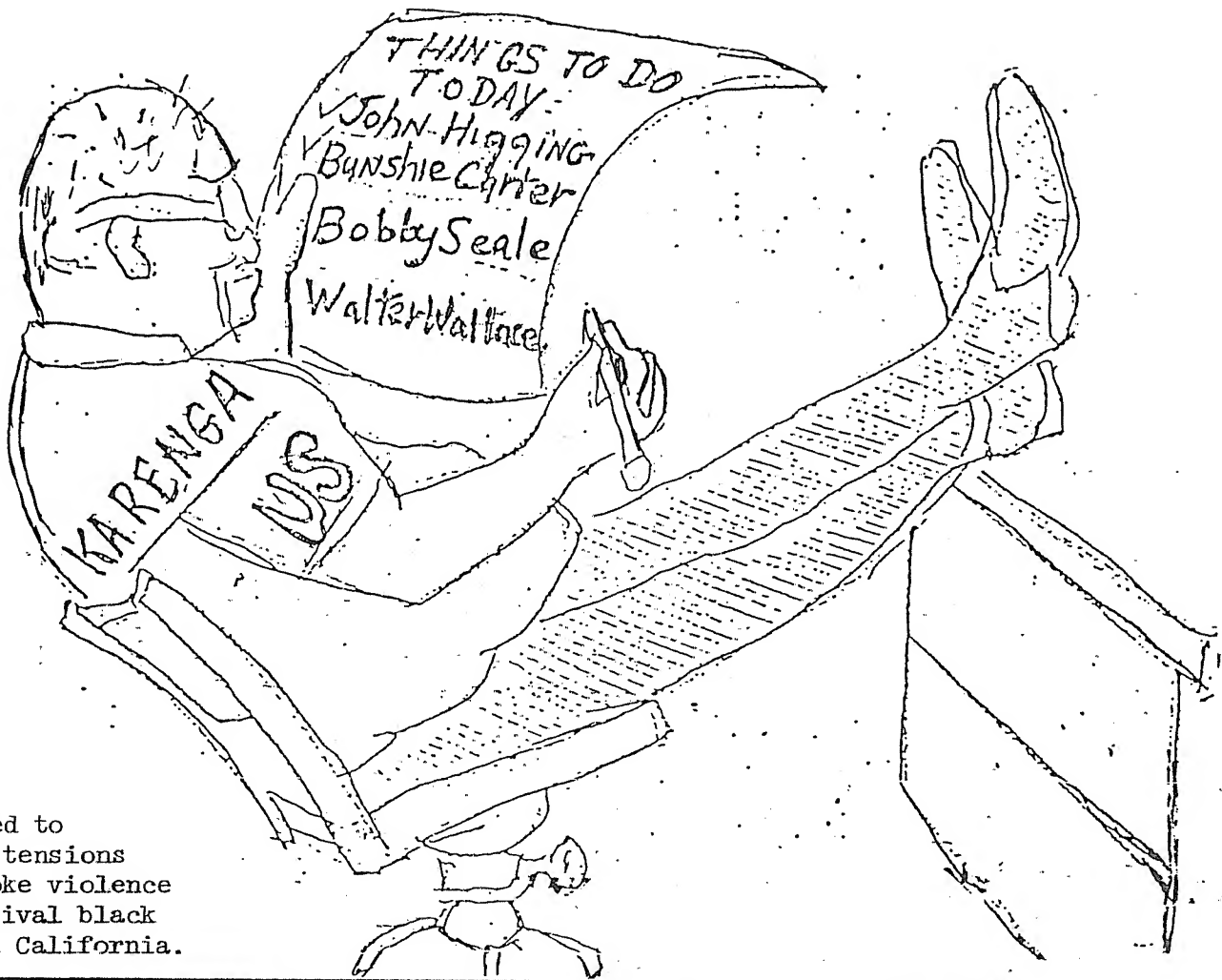
The BPP Breakfast Program appears to be floundering in San Diego due to lack of public support and unfavorable publicity concerning it. It is noted that it has presently been temporarily suspended. Therefore, it was felt that placing the above mentioned anonymous call to the Bishop at this particular time might be a significant factor in precluding the resumption of the program. The information to the Bishop appeared to be favorably received and he seemed to be quite concerned over the fact that one of his Priests was deeply involved in utilization of church facilities for this purpose. This matter, of course, will be closely followed for further anticipated developments concerning the Breakfast Program.

Shootings, beatings, and a high degree of unrest continues to prevail in the ghetto area of southeast San Diego. Although no specific counterintelligence action can be credited with contributing to this over-all situation, it is felt that a substantial amount of the unrest is directly attributable to this program.

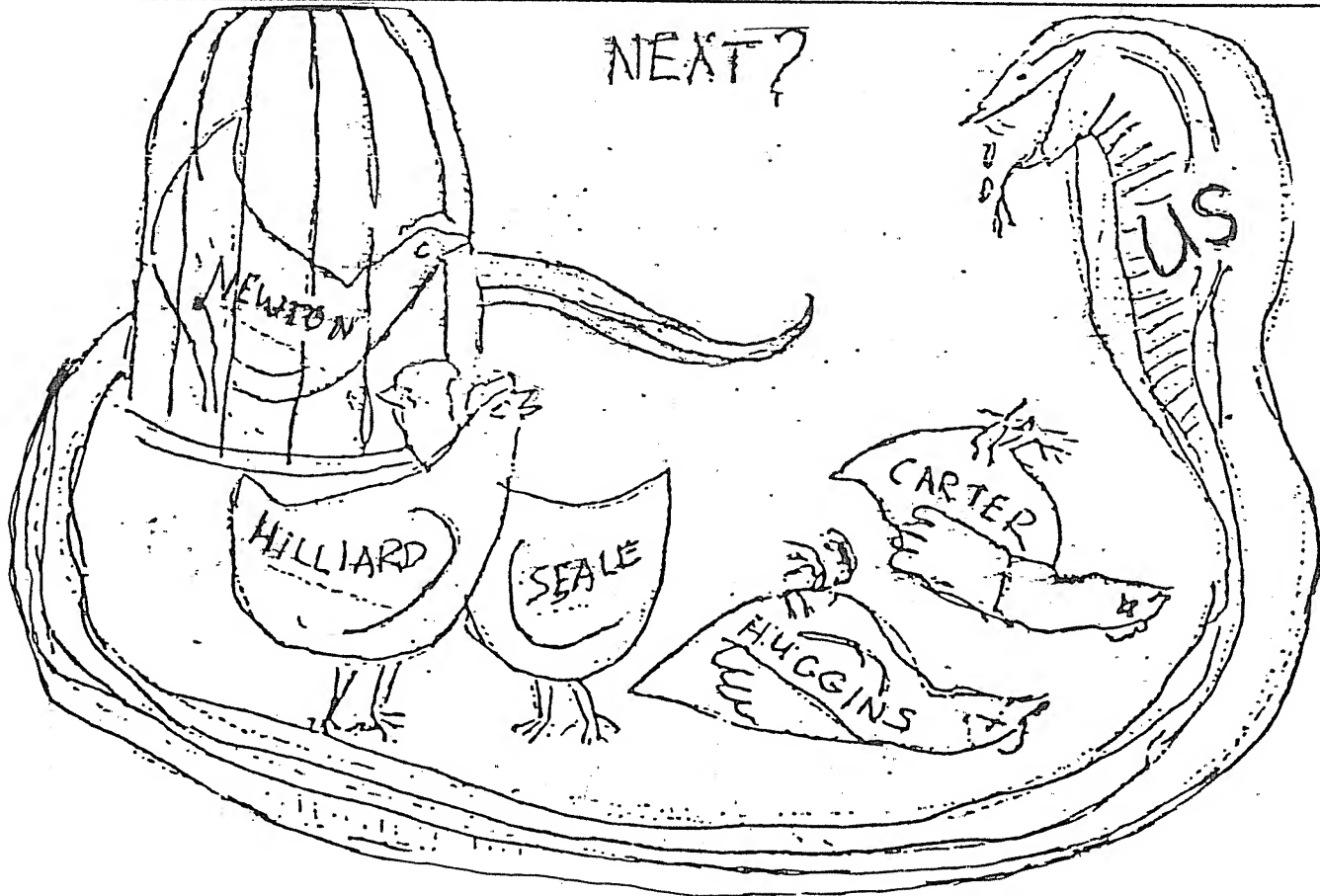
In view of the recent killing of BPP member SYLVESTER BELL, a new cartoon is being considered in the hopes that it will assist in the continuance of the rift between BPP and US. This cartoon, or series of cartoons, will be similar in nature to those formerly approved by the Bureau and will be forwarded to the Bureau for evaluation and approval immediately upon their completion.

IV. DEVELOPMENTS OF COUNTERINTELLIGENCE INTEREST

Due to the fact that the US members violently objected to being called "pork chops", a change in the order of the mailing of the cartoons was made in San Diego. One of the recently Bureau-approved cartoons depicting [REDACTED] holding a Black Panther off with his hand with the title "Pork Chop Karenga" was distributed on 4/7/69, due to the excellent timely release of this particular cartoon.



to FBI
 cartoons
 circulated to
 increase tensions
 and provoke violence
 between rival black
 groups in California.



UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 1/13/69

FROM : SAC, CHICAGO

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST HATE GROUPS
RACIAL INTELLIGENCE
(BLACK PANTHER PARTY) (BPP)

DO NOT REMOVE

In the Chicago letter of December 16, 1968, a suggestion was made that an anonymous mailing be sent JEFF FORT, leader of the Blackstone Rangers, advising of BPP efforts to discredit him, and in effect to "take over" the Rangers. As events have subsequently developed, as set forth in referenced Chicago airtel and LEM, the Rangers and the BPP have not only not been able to form any alliance, but enmity and distrust have arisen, to the point where each have been ordered to stay out of the others territory. The BPP has since decided to conduct no activity or attempt to do any recruiting in Ranger territory.

It appears therefore that the letter as originally intended at this point would serve no useful purpose. The end in view appears to have been very quickly arrived at, in great measure by virtue of the inherent inability of two such volatile and power conscious groups to derogate any of their status or assumed authority to the other.

From information recently received, it appears, however that the BPP has not entirely abandoned all hope of utilizing the Rangers for their own purposes. Some feeling has been evident that FORT may not continue indefinitely in his position of leadership with the Rangers, most probably a reference to various criminal charges facing him. It is clear, however, that so long as he is in this position, any working arrangement between the two groups will be on Ranger terms.

STICHERS COPY
RECEIVED
FBI
Consequently, Chicago now recommends the following letter be sent FORT, handwritten, on plain paper:

"Brother Jeff

"I've spent some time with some Panther friends on the west side lately and I know what's been going on. The brothers that run the Panthers blame you for blocking their thing and there's supposed to be a hit out for you. I'm not a Panther, or a Ranger, just black. From what I see these Panthers are out for themselves not black people. I think you ought to know what their up to, I know what I'd do if I was you. You might hear from me again."

"A black brother you don't know"

The above would be sent to FORT in care of the First Presbyterian Church, 6401 South Kimbark, the widely publicized headquarters of the Rangers.

It is believed the above may intensify the degree of animosity between the two groups and occasion FORT to take retaliatory action which could disrupt the BPP or lead to reprisals against its leadership.

Consideration has been given to a similar letter to the BPP, alleging a Ranger plot against the BPP leadership however, it is not felt this would be productive, principally since the BPP at present is not believed as violence-prone as the Rangers, to whom violent type activity, shooting, and the like, are second nature. There is also the possibility that if a future contact between the two were to take place, and it became apparent that both had received such communications, then an outside interest would be somewhat obvious.

Chicago will take no action regarding the above, pending Bureau authorization.

CHICAGO SUN-TIMES, Thurs., Feb. 12, 1976



**Bob
Greene**

Laundered box score?

No hits, no guns, no terror

We appear to have a new definition for a time-honored Chicago term.

Marlin W. Johnson, former head of the Chicago FBI office, testified in federal court this week, and he was asked to define the words "a hit."

The reason Johnson was asked to do this was that Jeff Fort, the leader of a Chicago street gang, received a letter back in 1969 that said, "there is supposed to be a hit out for you."

The letter was intended to convince Fort that the "hit" was being ordered by members of the Black Panther Party. Recently uncovered evidence, however, has indicated that the letter was written not by Black Panthers — but by FBI agents, in an effort to turn black nationalist groups against each other.

SO JOHNSON WAS on the stand to testify about the FBI's role in the sending of the letter to Fort. Johnson admitted that he had once approved the mailing of the letter. But he denied that Fort should have construed the phrase, "there is supposed to be a hit out for you," to mean that Fort was in danger of foul play.

Johnson said that "a hit" — according to newspaper accounts of his testimony — was "something nonviolent in nature."

Now I may not have been raised in the big city, but I grew up watching *The Untouchables* on television just like everyone else, and I was pretty sure that "a hit" did not precisely mean "something nonviolent in nature."

Still, I didn't want to trust myself on this. So I went to a reference book call "The Dictionary of American Underworld Lingo" (Citadel Press, New York, 1962) and looked up the definition. It was brief and to the point:

"HIT — To shoot to kill."

Marlin Johnson had been a top FBI man, though, and I didn't want to rely on the say-so of one not very well-known book to call him wrong. So I got on the telephone and sought the advice of a number of experts in the field. I asked each of them, "Does a 'hit' mean something nonviolent in nature?" Here are their responses:

PETER MAAS, author of "Serpico" and "The Valachi Papers" — A hit means only one thing. It means a bullet in the back of the head. Nonviolent? Jesus Christ. Joe Valachi talked about 33 hits to me, and he wasn't referring to Broadway plays."

STEVE SCHILLER, executive director of the Chicago Crime Commission — "A hit means something very violent. A hit means being taken care of completely. A hit means somebody being exterminated. Taken out. Murdered. Killed. Dead. Final."

JAY ROBERT NASH, veteran crime-watcher and author of "Bloodletters and Bad Men" — "A hit has only one meaning, and that's assassination. That's all it is; planned, ordered-in-advance murder. Usually the weapon is a handgun. Often a silencer is used."

TONY PELLICANO, private eye — "A hit means that a contract is out. A hit means you're going to die. A hit means that your life has been offered up for sale by whoever wants to get you. It's not a very difficult concept. If there's a hit out on you, that simply means that someone has been hired to kill you."

GEORGE V. HIGGINS, former federal prosecutor in Boston and author of "The Friends of Eddie Coyle" — "What did you say? A hit is something nonviolent in nature? That's a lot of crap. It was never like that in any parlance I ever heard. A hit has always meant one thing. It's a contract for murder. There's no two ways about it. It's murder."

RONALD EWERT, acting executive director of the Illinois Legislative Investigative Commission (formerly the Illinois Crime Commission) — "A hit's a hit. A guy's going to get killed. When someone says that there is a hit out for you, he means that the plans are for you to be dead soon."

So . . . I am certainly not going to quarrel with G-Man Johnson's definition of "a hit." In fact, I kind of like it. It adds yet another note of distinction to our civic history:

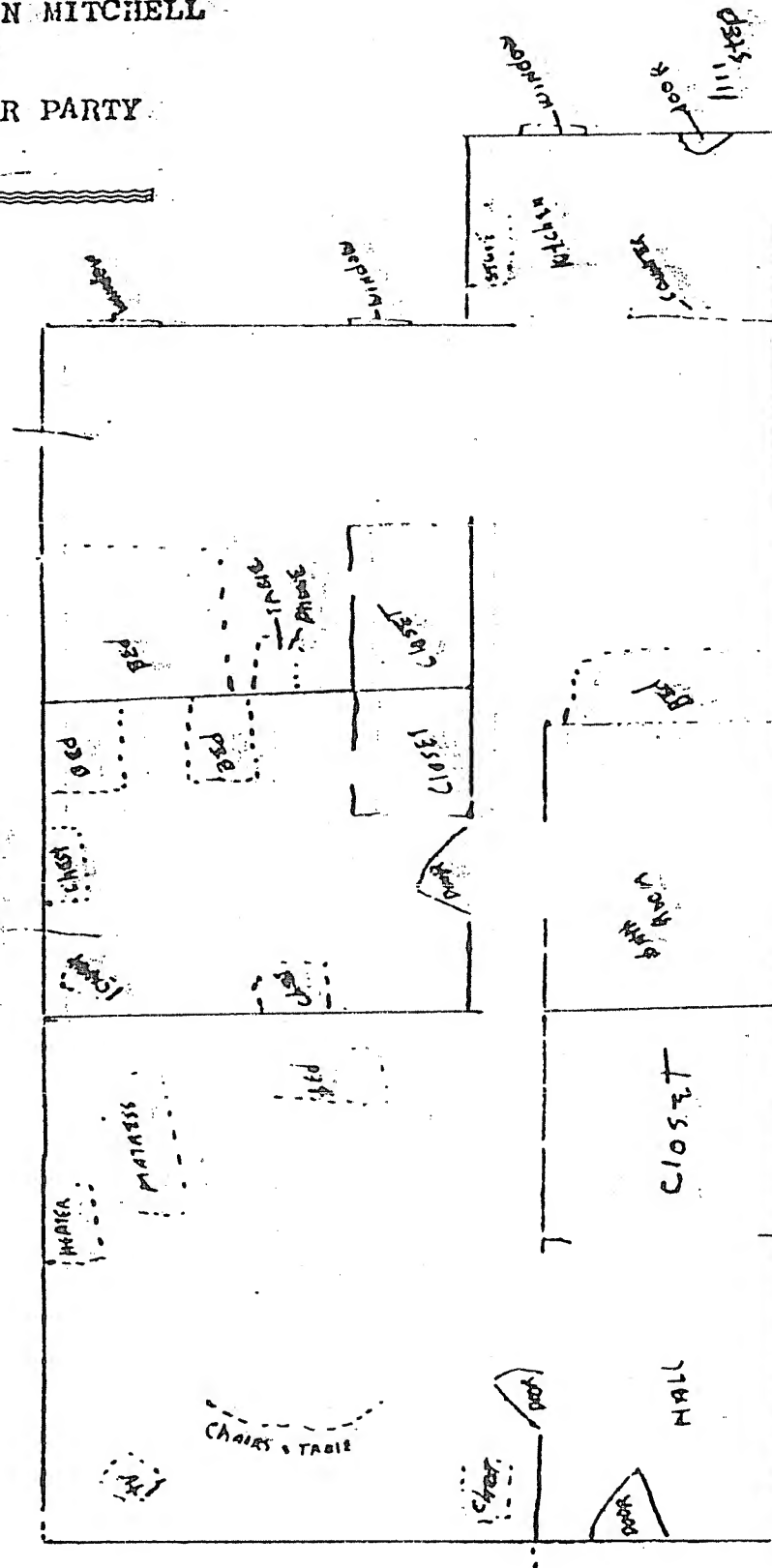
Only in Chicago can premeditated murder be defined as a nonviolent act.

DATE: 11/21/69

TO: BLACK PANTHER PARTY
FROM: BPP

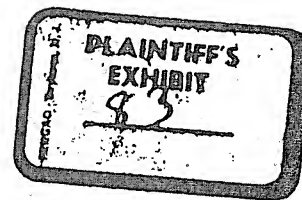
ROSE OF HAMPTON
AND JOHNSON WHEN
TASY STAY HERE

ROOM 13 F
+ RAYLOCK
WATERHSE
STAIRS HERE



↑ DOOR 1 STEP
to another
upstairs apt.

12/11/69



AIRTEL

TO: DIRECTOR, FBI ~~REDACTED~~

FROM: SAC, CHICAGO ~~REDACTED~~

SUBJECT: ~~REDACTED~~

Re Bureau airtel 12/8/69 and Chicago letter 11/24/69.

Information set forth in Chicago letter and letterhead memorandum of 11/21/69, reflects legally purchased firearms in the possession of the Black Panther Party (BPP) were stored at 2337 West Monroe Street, Chicago. A detailed inventory of the weapons and also a detailed floor plan of the apartment were furnished to local authorities. In addition, the identities of BPP members utilizing the apartment at the above address were furnished. This information was not available from any other source and subsequently proved to be of tremendous value in that it subsequently saved injury and possible death to police officers participating in a raid at the address on the morning of 12/4/69. The raid was based on the information furnished by informant. During the resistance by the BPP members at the time of the raid, the Chairman of the Illinois Chapter, BPP, FRED HAMPTON, was killed and a LPP leader from Peoria, Illinois, was also killed. A quantity of weapons and ammunition were recovered.

It is felt that this information is of considerable value in consideration of a special payment for informant requested in re Chicago letter.

~~REDACTED~~
1 - Chicago

RTP:pas

SEARCHED _____
SERIALIZED _____
INDEXED _____
FILED _____

~~REDACTED~~

74

FBI memo on Panthers bared

Charge FBI 'plot' to risk police lives

By Thomas J. Dolan/CST 4/17/76

Lawyers for families of two slain Black Panther Party leaders Friday subpoenaed FBI documents they say outlined an FBI plan to risk the lives of local police in clashes and raids involving Panthers.

"We have a reliable informant," said attorney G. Flint Taylor, "who has told us that such a plan existed and he saw it in writing. We are demanding that those documents be brought into court."

Taylor made his comment after serving subpoenas on four Federal Bureau of Investigation agents, or former agents, three of whom are facing civil charges that they violated the civil rights of Panther leaders Fred Hampton and Mark Clark during a Dec. 4, 1969, weapons raid on a West Side Panther apartment. Hampton and Clark were killed in the raid.

The subpoenas demand all documents showing an alleged FBI counterintelligence plan to bribe or entice local law enforcement agencies to neutralize the Black Panther Party. The subpoenas said the plan:

"... set (s) forth that local law enforcement agencies (are) to be employed by the FBI to raid Black Panther Party offices and homes wherein Panthers and police would be wounded and killed and Panthers arrested . . ."

The plan, according to the subpoena, was drafted between January, 1968, and December, 1970. Sources close to the case said the existence of the plan has been made known to a U.S. Senate committee investigating the Hampton and Clark case, but Senate officials could not be reached for comment.

Sources close to the Hampton and Clark lawyers said the plan is being sought to show that the FBI intended that police should be killed or wounded in clashes with armed Panthers to publicly discredit the militant blacks.

Subpoenaed were Marlin Johnson, former special agent in charge of the Chicago FBI office, and agents Roy Mitchell and Robert Piper. All are charged in the \$47.7-million federal civil rights damages suit being tried before U.S. District Court Judge Joseph Sam Perry.

Panther leaders Fred Hampton and Mark Clark were shot and killed by Chicago police assigned to the state's attorney's office, who conducted the weapons search at 2337 W. Monroe.

CST

By Dennis D. Fisher 2/28/76

A document that showed the FBI knew of an impending police action against a Chicago Black Panther apartment surfaced Friday in federal court.

The document was a bureau report initiated by Marlin W. Johnson, chief of the Federal Bureau of Investigation office here at the time.

Chicago police officers conducted a raid on the Panther apartment Dec. 4, 1969, the day after the FBI report was dated.

Johnson, now an executive with the Canteen Corp. and chairman of the Chicago Police Board, has testified that the first he heard of the weapons raid on the apartment was on radio the morning it happened.

In earlier testimony Johnson denied any knowledge that Chicago policemen assigned to the Cook County state's attorney's office planned the pre-dawn raid in which Panther leader Fred Hampton and member Mark Clark were killed.

The FBI report was read to a jury and U.S. District Court Judge Joseph Sam Perry. The report dealt with an FBI counterintelligence program aimed at harassing and neutralizing "black nationalist-hate groups" that included the Black Panther Party.

Dated Dec. 3, 1969, the three-page report noted that the Chicago FBI office has "continued to advise local authorities of instances where BPP members appear vulnerable to arrest on local charges."

The report recites how the FBI gave information concerning weapons "reportedly purchased legally by local BPP members. This information has been furnished to local law-enforcement officials. Officials of the Chicago Police Department have advised (the FBI) that the department is currently planning a positive course of action relative to this (weapons) information."

Panther raid 'success' -- agent

4/30/76 Chicago Sun Times

By Dennis D. Fisher

FBI agent testified Tuesday that he considered police weapons raid on a Chicago Black Panther apartment "successful" because no one was injured.

Robert T. Piper, head of the Chicago "racial matters" unit at the time of the pre-dawn raid Dec. 4, 1969, told a jury and U.S. District Court Senior Judge Joseph Sam Perry that information furnished to local police by him was the key to the successful weapons search.

Piper, a defendant in a \$47.7-million civil rights damage suit filed by the families of Hampton and Clark and other Panthers, questioned about a letter

he wrote to FBI headquarters in Washington.

The one-page letter credited FBI undercover informant William M. O'Neal Jr. with providing a list of weapons and a detailed floor plan of the Panther apartment, including the exact location of Hampton's bed, which contributed to the saving of police lives. The letter was read to the six-member jury.

"It is felt that this information (O'Neal's) is of considerable value in consideration of a special payment for informant . . .," the letter said. The local FBI office was seeking a \$300 "reward" payment for O'Neal, who acted as the Chicago Panther's chief of security and sometimes as a personal bodyguard for Hampton.

Piper conceded that he wrote the letter to obtain a bonus for O'Neal.

The raiding party had been supplied the apartment diagram by another FBI agent, Roy M. Mitchell, who was O'Neal's "operator."

Sun-Times Bureau 5-4-76

WASHINGTON — A Federal Bureau of Investigation memo says the 1969 raid in which two Black Panthers were killed in Chicago was "based on information" from an FBI informant, a Senate intelligence committee staff report disclosed Thursday.

Arthur Jefferson, head of the staff that produced the report, said the memo was "inconsistent"

by former Cook County State's Atty. Edward V. Hanrahan, Chicago police and the FBI.

Jefferson said the Chicago raid was part of a nationwide FBI effort to "encourage police to raid the Panthers." The FBI justified the policy as a precaution against violence, he said, but "the real reason was they didn't like the political rhetoric and the political stance the Black Panther Party

COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUP
RACIAL INTELLIGENCE
(BLACK PANTHER PARTY) (BPP)

TO : DIRECTOR, FBI
FROM : SAC, CHICAGO

4/11/69

Above is furnished for the information of the Bureau, and an indication of the use of this source in harassing and impelling the criminal activities of the BPP locally.

Explosives offer to Panthers told

By Rob Warden

CDN 7/2/76

A paid FBI informant offered explosives to members of the Black Panther Party here in 1969 and suggested they could blast their way into armories to seize weapons, according to a sworn statement filed Thursday in federal court.

The statement details testimony that former Panther Louis Truelock would give if he were permitted to testify in a landmark civil rights suit before U.S. District Court Judge Joseph Sam Perry.

Truelock would testify that in October, 1969, he and other Panthers went with FBI informant William O'Neal Jr. to the home of O'Neal's father on the West Side, the statement said.

THERE, ACCORDING TO THE statement, O'Neal showed the Panthers a satchel of putty, blasting caps and several plastic bottles of liquid, presumably high explosives.

"He said armories could be blown up this way and we could get their guns," Truelock's statement said.

The next month, the statement continued, Truelock and other Panthers again went to O'Neal's father's home, near 14th and Springfield.

"O'Neal showed us the explosives again and said there was a McDonald's we would rip off," Truelock was quoted as saying. "He (O'Neal) stated we could use the explosives on the safe door and blow it open."

The statement also said that O'Neal once tried to bring an apparently stolen electric typewriter into Panther headquarters at 2350 W. Madison.

Tell torture by FBI spy

Chicago Daily Defender 7/21/76

By ROBERT McCLORY

William O'Neal, the Black Panther double agent who helped arrange the 1969 raid on Fred Hampton's apartment, also had plans to blow up City Hall with a bomb carried in a radio-controlled model airplane, a witness testified this week before U.S. District Judge Joseph Sam Perry.

Ronald (Doc) Satchel, who was shot five times during the raid, said O'Neal's elaborate devices, including the plane and a home-made electric chair he built to "punish traitors," led the Panther high command in early 1969 to suspect him of being an agent provocateur. They voted to strip O'Neal of his position as chief of

security, said Satchel, but decided not to oust him from the party — a decision which was eventually fatal for Hampton and Mark Clark.

Throughout 1969 O'Neal continued to feed the FBI with information about Panther weapons and security measures, finally triggering the Dec. 4 raid.

During his questioning of Satchel, Atty. James Montgomery, representing survivors of the raid, attempted to establish that much of O'Neal's information was blatantly false. Over the strenuous objections of attorneys representing O'Neal, Edward Hanrahan and 27 other men implicated, Montgomery asked Satchel about a report submitted in late 1968 by O'Neal's FBI contact, Roy Mitchell. In it, O'Neal claimed Panther headquarters at 2350 W. Madison were then

equipped with devices to "electrocute unwanted intruders instantly" and to eject poison gas that "kills in a matter of seconds." O'Neal also told Mitchell that a bullet-proof steel door was in place and the windows were equipped with siren alarms.

In fact, testified Satchel who frequented Panther headquarters daily, he never saw any of these devices. The airplane and the electric chair were real, however. Satchel said the Panthers never took seriously O'Neal's claim that the one-foot-long, plastic airplane equipped with a gasoline motor could actually blow up City Hall, and he never saw it in operation. Hampton, he said, explicitly ordered O'Neal to dismantle the electric chair after it has been constructed.

CDN 3/5/77

William O'Neal, the central figure in the Black Panther trial, engaged in terrorism, torture, robbery and theft, while he was collecting thousands of dollars from his FBI employers, a witness testified this week in the continuing federal trial.

Robert Bruce, 29, a former Panther himself, described many of O'Neal's peculiar

projects, including the construction of a Panther electric chair to execute "traitors" and the designing of a radio-controlled model airplane to bomb City Hall. He also said O'Neal encouraged Panther members to commit crimes, personally took part in several burglaries and holdups, and viciously beat one suspected informant with a bullwhip.

The prosecution contends O'Neal was encouraged by his FBI superiors to discredit the party and justify the fatal raid.

Bruce, who was moved by the FBI to California three years ago following his testimony in the Stanley Robinson trial, said O'Neal contacted him last year and urged him not to appear in the Panther trial.



FBI
informant
William
O'Neal

Charge FBI informer was 'hit man

By William J. Eaton
Of Our Washington Bureau

WASHINGTON — An FBI informer in the Black Panther Party in Chicago became part of a "murder-by-contract group" with apparent approval of FBI officials, a member of the Senate intelligence committee has charged.

The informer supplied the Panthers with weapons,

trained them in their use and later joined a murder squad that stalked a victim and killed him, according to Sen. Walter D. Huddleston (D-Ky.).

Although Huddleston did not name the informer, he apparently is William O'Neal, a former FBI informer who was chief of security for the Chicago Panthers when Illinois Panther leaders Fred Hampton and Mark Clark were

killed in a police raid six years ago.

O'Neal also testified for federal prosecutors in the 1973 trial of former Chicago policeman Stanley Robinson, who was convicted of murdering two persons. O'Neal testified that he accompanied Robinson when a contract killing was carried out on May 6, 1972, on the Dan Ryan Expressway.

Huddleston asked why the Chicago informer was able to provide weapons to the Panthers and associate with killers "presumably all with the knowledge of the FBI."

JOSEPH Deegan, chief of the FBI section on extremist organizations, did not challenge the senator's recital of the facts.

Chicago Daily News 12/13/75

Panther witnesses tell threat by O'Neal

Chicago Daily Defender 12/15/76

By ROBERT McCLORY

Two former Black Panthers have claimed William O'Neal warned them it would not be in their "best interests" to testify at the current federal trial.

The two, Robert Bruce and Nathaniel Junior, said they were contacted separately by O'Neal, the FBI informant who is now in his third week on the stand, and told to "forget about" unrequested visits O'Neal paid them last April. He also allegedly discouraged their scheduled appearances in the trial. As a result of these contacts, Junior and his family are reportedly in fear for their lives and are seeking to keep their present whereabouts unknown.

Bruce and Junior, former associates of O'Neal, have long criminal records, and are prepared to testify about O'Neal's own criminal history. Attorneys for the Panther plaintiffs believe their testimony would seriously discredit O'Neal's claim before

the jury that he served as a paid informant only because he was "interested in law enforcement and what the FBI stood for."

Junior, in particular, has charged O'Neal with building an electric chair to scare Panther traitors, organizing groups to conduct robberies, bringing explosives and guns to Canada while Junior was a fugitive there, blowing up a car in suburban Argo, and urging other Panthers to engage in terrorist activities.

Meanwhile, O'Neal has admitted little under heavy questioning by Atty. Jeff Haas.

He said his only purpose as an informant was to provide FBI agent Roy Mitchell with "general information" about Panther activities. The plaintiffs, however, are attempting to establish that O'Neal was paid by the government to act as an "agent provocateur" in the party, to encourage illegal acts and to provide justification for a crackdown on its leaders. This theory has gained considerable credibility in view of official FBI documents which urge agents to promote disruption by a host of illegal dirty tricks and the use of informers.

Panther trial New Times 2/18/77

When William O'Neal recently took the witness stand in the \$47.7 million civil suit filed by survivors of the 1969 Chicago police raid, in which Black Panther leaders Fred Hampton and Mark Clark were slain; a chant of "pig, pig, pig" arose from the plaintiffs' side of the courtroom.

In 1969-70, O'Neal earned \$30,000 as a paid FBI informant who so successfully infiltrated the Panthers that he became Fred Hampton's personal bodyguard. It was O'Neal who provided the FBI with a floor plan of Hampton's apartment, a plan that the 14-man police unit referred to when surprising the sleeping residents at dawn with a nine-minute spray of gunfire. An autopsy revealed abnormally high levels of barbiturates in Hampton's blood; the plaintiffs believe that O'Neal drugged Hampton the night before the raid. FBI documents in evidence show that O'Neal was rewarded for his efforts with a \$300 bonus.

After three earlier "official" investigations of the raid, during which neither he nor the FBI was even mentioned, O'Neal is back on the

government payroll, this time earning about \$3,000 a month to testify in his own defense. (Other defendants in the case include the FBI, the Chicago police department and the Illinois State Attorney's Office.) The payments, which started in September 1975—on the day he served his deposition in the case—are for "subsistence," O'Neal says.

Though able to subsist comfortably on his government salary, O'Neal did have some uncomfortable moments during his six weeks of testimony. While being questioned about the floor plan and his request to be a pallbearer at Hampton's funeral, O'Neal disappeared during a lunch recess last December 8 and didn't turn up again for five days. The defense explained that his wife was ill, but upon returning, O'Neal failed to bring the medical note that the plaintiffs' attorneys had requested. Although the plaintiffs believe that O'Neal was really holding out for more government money, Judge Joseph Sam Perry would not permit them to question O'Neal about his absence, ruling that to do so would violate security—O'Neal's location is a well-kept government secret.



Fred Hampton: Gunned down at dawn by Chicago Police using information given to them by FBI informant and agent-provocateur William O'Neal.

★★★ Nation

Report to senators

FBI is accused of plotting terror

New York Times News Service

SAN DIEGO—The American Civil Liberties Union completed Thursday a report for Senate investigators alleging that the Federal Bureau of Investigation recruited a band of right-wing terrorists and supplied them with money and weapons to attack young anti-war demonstrators.

The 5,000-word account prepared for the Senate Select Committee in Intelligence contains what ACLU lawyers described as "newly established evidence" purportedly linking the FBI to at least two assassination plots here.

The lawyers, H. Peter Young and Mark D. Rosenbaum of the ACLU Foundation of Southern California, said the allegations to be sent, probably Friday, to the Senate committee "document in detail" the FBI's sponsorship in 1971 and 1972 of a San Diego group calling itself the "Secret Army Organization."

TOLD OF THE ACLU assertions, a spokesman for the FBI said that the bureau had had "nothing to do" with the establishment of the so-called Secret Army Organization, "nor did we have anything to do with the direction of its activities."

According to the ACLU report, the Secret Army Organization was set up "on instructions of FBI officials" to serve as agents provocateurs, inciting disorders as a means of exposing "domestic radicals," particularly campus leaders of the New Left protesting the war in Southeast Asia.

The organization was described by the ACLU as an outgrowth of an elaborate interagency espionage apparatus organized "at the direction of Richard M. Nixon" early in his administration to intimidate and silence domestic critics.

THE ACCUSATIONS contained in the report go considerably beyond those of a \$10.6-million damage suit filed by ACLU attorneys in Federal District Court here last Jan. 6 on behalf of Peter G. Bohmer, a discharged economics professor at San Diego State University, and Paula Tharp, a companion.

Miss Tharp was wounded on Jan. 6, 1972, when shots were fired into Bohmer's Ocean Beach home here from an automobile carrying several members of the so-called Secret Army.

Bohmer, an avowed Marxist, and Miss Tharp, formerly employed by an underground newspaper twice wrecked in nighttime Secret Army raids, organized the San Diego Convention Coalition in mid-1971. The coalition was formed to bring thousands of youthful demonstrators to San Diego to disrupt the 1972 Republican National Convention before the convention site was shifted to Miami Beach.

THE ACLU report says that John Rasperry, whom it identified as an FBI informer, has admitted that, in the winter of

1971-1972, the bureau instructed him to assassinate Bohmer, but that the attempt was never made.

Another FBI-directed plot to assassinate Bohmer was allegedly set up in April, 1972, with Gil Romero, a member of the San Diego Police Department's antisubversive "Red Squad," also described as an FBI undercover agent.

The plot was abandoned, Young reported, presumably when the Republican convention was moved to Miami Beach.

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON, Jan. 11 — Clarence M. Kelley, the director of the Federal Bureau of Investigation, denied today that his agency had played a significant role in financing or encouraging the activities of a group of right-wing San Diego terrorists known as the Secret Army Organization.

Despite Mr. Kelley's insistence today that the F.B.I. "did not sponsor, did not engage in and did not condone" any of the Secret Army Organization activities, information has been placed on the public record or gathered by the Senate Select Committee on Intelligence that shows substantial F.B.I. involvement with the San Diego groups.

Testimony on F.B.I. Funding
Howard B. Godfrey, the F.B.I. informant to whom Mr. Kelley referred, who was also one of the co-founders of the Secret Army Organization, has testified in a California court that the bureau gave him \$10,000 to \$20,000 worth of weapons and explosives for use by the group in addition to his \$250-a-month salary as an informant.

In addition, a report by the American Civil Liberties Union, provided to the Senate committee last summer, quotes John Rasperry, a second F.B.I. infor-

mat, as alleging that bureau agents had instructed him to kill Peter Bohmer, a San Diego economics professor and radical activist, but that he had not. However, according to court testimony, members of the secret group, including Mr. Godfrey, did carry out such a murder attempt on Jan. 6, 1972, when they fired a pistol through the front window of Mr. Bohmer's San Diego home.

Mr. Godfrey said that he did not fire the pistol but that he was in an automobile with the men who did. Mr. Bohmer was unhurt, but Paula Tharp, a friend, was wounded in the elbow.

Senate committee investigators have discovered, according to sources familiar with their inquiry, that the pistol in question was later given by Mr. Godfrey to his controlling F.B.I. agent, Steven Christiansen, a member of the bureau's San Diego office.

Committee sources said that Mr. Christiansen concealed the weapon in his own home for half a year while the San Diego police searched for evidence in the Tharp shooting.

The sources said that Mr. Christiansen, who has since resigned from the bureau, was disciplined in some undescribed way by the F.B.I. for his handling of the secret group.

Part Three: Other Methods and Tactics

The FBI used over two hundred tactics against liberation and progressive groups during its counterintelligence program. A partial list includes: anonymous mailings of fictitious letters; exploiting hostility between groups; spreading malicious rumors; manipulating media; pressuring employers to fire progressive employees; engineering the cancellation of speaking engagements; arranging for local police to set-up or harass groups and their members; intimidation through frequent interviews and investigations; and having the Internal Revenue Service conduct illegal tax audits.

One tactic closely related to the illegal raids mentioned in the previous section was the use of false arrests and prosecutions. This was done either by the FBI acting alone or with the cooperation of local police and prosecutors, as well as representatives of the Justice Department. During the summer of 1967, almost the entire RAM organization in Philadelphia was falsely arrested and kept in jail through the counterintelligence efforts of the FBI and the Philadelphia Police Intelligence Unit.

Often, a contemplated result of the raid would be arrest and prosecution, whether there was any real evidence or hope of conviction. There were one hundred and thirteen arrests of BPP members in Chicago in 1969, with no more than a handful of convictions resulting. In Mississippi, in 1971, the police and the FBI raided an RNA home under very suspicious circumstances. Although he was not even in the building, RNA leader Imari Obadele was charged with conspiracy and sent to the penitentiary.

The use of FBI informers and agents-provocateur was, and is, widespread, but the FBI also attempted to spread rumors that certain respected and influential progressive leaders and group members were FBI or CIA spies. This tactic led to much divisiveness and even a potential for violence within several liberation groups.

The FBI also printed its own leaflets with false or malicious information. The FBI was very successful in using the media to discredit and slander activists and liberation struggles. Many "friendly" media sources were little more than pro bono FBI agents themselves, printing or broadcasting whatever the FBI requested. The FBI even supplied pre-written feature articles and screened television documentaries for "accuracy." Like so much of their broadly illegal political repression activities, this media manipulation continues today in a less overt form, adjustments having been necessary due to the damaging revelations exposing the FBI's illegal Cointel-pro operations.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

FROM : G. C. Moore *RC*SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE1 - Mr. C. D. DeLoach
1 - Mr. W. C. Sullivan

DATE: May 14, 1970

1 - Mr. T. E. Bishop
1 - 
1 - Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan *✓* _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

This is to recommend that the Counterintelligence Program against black extremists be continued.

5-D. Bishop
at 11/11

The Counterintelligence Program against black extremist organizations and individuals was initiated August 25, 1967, and on March 4, 1968, it was expanded from 27 to 42 participating field divisions. The goals of this program are to prevent violence by black extremists, to prevent the growth and/or unification of extremist groups, and to prevent extremist groups from gaining respectability in the Negro community. Some of the excellent results of counterintelligence action during the past year are set out below:

To create friction between Black Panther Party (BPP) leader Eldridge Cleaver in Algiers and BPP Headquarters, a spurious letter concerning an internal dispute was sent Cleaver, who accepted it as genuine. As a result, the International Staff of the BPP was neutralized when Cleaver fired most of its members. Bureau personnel received incentive awards from the Director for this operation.

To show the criminal nature of the BPP a write-up concerning the convictions of its members was prepared and received publicity in a Robert S. Allen and John A. Goldsmith syndicated column of March 31, 1970. Previously we exposed the BPP Breakfast For Children Program in these writers' column of June 14, 1969.

Articles concerning the BPP based on information furnish a news media source in Mississippi resulted in the closing of a BPP Chapter in Cleveland, Mississippi.

1820

Counterintelligence against other extremist organizations has also been effective. In San Diego, California, an anonymous telephone call to the landlord of the US organization resulted in the group being evicted from its Headquarters. In Miami Florida, a television source was helped in the preparation of a program exposing the Nation of Islam. The excellent results of this program were contained in a memorandum from G. C. Moore to Mr. William Sullivan, October 21, 1969, on which the Director noted "Excellent."

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EXCEPT WHERE SHOWN

OTHERWISE.

CONTINUED - 25 JUL - OVER 1970

100-448006

97 JUN 10 1970

5-78

Memorandum to Mr. W. C. Sullivan
Re: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
100-448006

Counterintelligence action has also been effective against individual black extremists. In St. Louis, the circulation of a spurious newsletter caused four extremists to begin fighting among themselves. An anonymous letter to a radio station caused the removal of [REDACTED] from the show where he had been preaching black extremist philosophy. The Jackson Division prepared a spurious letter from a college group to a black extremist who was attempting to recruit the group. As a result, the extremist left the area, severing all contact with the group.

ACTION:

In view of the tangible results evidenced by this program with a minimum expenditure of manpower, it is recommended the Counterintelligence Program be continued.

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11/11
HE
JAN 11/11
✓
WCS
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WCS

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

FROM : SAC, Philadelphia (157-2371)

DATE: 8/30/67

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
INTERNAL SECURITY

Re Bureau airtel to Albany dated 8/25/67.

The following suggestions are presented for general consideration:

I. RAM

This division during the summer of 1967 has had the opportunity to observe an attempt by an extremist Negro group (RAM) to affect the peace of a city. Some of the steps taken against RAM may be of possible use elsewhere under the current program. It is pointed out that in a fast moving series of situations, the police may have to "play it by ear," which may reduce Bureau control of the action taken. Actions herein set out were carried out by either the Intelligence Unit or the Civil Disobedience Unit (CDU) of the Philadelphia PD, the largest role being played by CDU.

In September 1966, [redacted] of RAM returned to his native city, Philadelphia, [redacted] that he was going underground to "cool it" and to throw off any police attention. He settled in the heart of the Negro ghetto with his common-law wife and two children.

^{heads of the Intelligence Unit}
This tactic worked. The police had forgotten [redacted] and had no prior experience with or knowledge of RAM. The SA contacting the Intelligence Unit secured spot check coverage of [redacted] by Negro officers as a personal favor after explaining RAM and [redacted] position in it to police officials.

1 910 94D

2 - Bureau
1 - Philadelphia (157-2371)

ST-108

REC-64

22 SEP 1 1967

MBD:MMR
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Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



TNT REC.

PH 157-2371

When activity started with the appearance of known Negro extremists native to Philadelphia at the [redacted] residence, a full-time surveillance by police went into effect. Police disruptive action was also initiated.

Cars stopping at [redacted] residence were checked as to license numbers. When they left the residence area they were subject to car stops by uniformed police. The occupants were identified. They then became the target for harassment. As an example, the following case is cited:

[redacted] He was located passing out RAM literature at a local school. He was interrogated. He was arrested as a narcotic user on the basis of alleged needle marks. He was fingerprinted and photographed. He was subsequently released by a magistrate.

Any excuse for arrest was promptly implemented by arrest. Any possibility of neutralizing a RAM activist was exercised.

[redacted] was arrested for defacing private property when he painted "Black Guard" on a private building. His companion was also arrested. A charge of carrying a concealed deadly weapon, a switch-blade knife, was pushed against the companion. His probation officer was contacted, his parole revoked, and he was returned to prison for several years.

When surveillance reflected the arrival of a new group in town, they were brought in for investigation and their residence searched.

Certain addresses used by [redacted] as mail drops in Philadelphia had been determined to be the addresses of known Negro extremists. When a young Negro was arrested for passing out RAM printed flyers and was charged with inciting to riot these addresses appeared in his statements to the police. Search warrants were secured. While the search of the first four only eliminated their use as mail drops, the fifth contained RAM and Communist literature and a duplicating machine with a RAM leaflet on the plate. Three persons were arrested at this last address.

Legal searches of the home of [redacted] and other RAM members produced a volume of literature of such a nature that the District Attorney authorized the arrest of [redacted] and five other RAM members. They are still in prison.

Other RAM people were arrested and released on bail, but were re-arrested several times until they could no longer make bail.

The above local actions appear for the present to have curtailed the activities of this [redacted] group. It was apparently a highly frustrating experience for the persons involved.

[redacted]
[redacted] was advised that he was again under arrest and that his wife and sister were also under arrest, he lay down on the floor of his residence, beat the floor with his fists and cried.

[redacted] has been returned to New York to answer charges growing out of a RAM plot in that city to kill moderate civil rights leaders. Most of the RAM activists are still in jail in Philadelphia at this time.

The above action by local police units is cited as an example of an effective disruptive counterintelligence technique. In other cities where close police cooperation exists, it may be possible to suggest similar operations and to supply to police officers interested in such a violence-prone organization not only information concerning it but ideas relative to its vital or weak sections and profitable points of attack.

III. Future Action Planned by Philadelphia

1. Pursuant to Bureau instructions, this office will commence interviewing RAM members. About a dozen are presently incarcerated in Philadelphia and these will be the first interviewed.

2. Philadelphia is presently reviewing and analysing a list of names and addresses compiled from three private address books taken from [redacted] at the times of his three arrests since he returned to Philadelphia. Selective interviews will be made and the analysis may lead to other counterintelligence suggestions.

3. [redacted] and most RAM activists in Philadelphia appear to be in prison. Philadelphia will have to evaluate the situation more fully to determine the extent of vitality remaining in RAM in this area before it will be in a position to advance further suggestions under this program.

Security Aide for Indians Says He Was F.B.I. Informer

By JOHN KIFNER

Special to The New York Times

CHICAGO, March 12—The American Indian Movement's chief security officer during the trial of the leaders of the Wounded Knee take-over said today that he was a paid informer for the Federal Bureau of Investigation.

The Government, in a sworn affidavit at the trial, had appeared to contend that it had no informer in the defense ranks.

The informer, Douglass Durham, was the chief aide and confidante of Dennis J. Banks, one of the two defendants and a co-leader of the American Indian Movement. In addition to being the organization's national security director, he became, in effect, its chief bureaucrat.

"I exercised so much control that you couldn't see Dennis or Russell [Means, the other defendant and co-leader] without going through me, you couldn't contact any other chapter without going through me, you couldn't contact any other chapter, without going through me, and if you wanted money you had to see me," Mr. Durham said.

Cash Payments Raised

During the trial, Mr. Durham was the only person, other than defendants and lawyers, with regular access to the room in which defense strategy was planned. He said that his proximity to the A.I.M. leadership had caused his cash payments from the F.B.I. to be raised from \$900 a month to \$1,100.

He said he was given a special telephone number during the trial, which was held in St. Paul, to call a three-man F.B.I. team headed by Ray Williams.

Reached at the Minneapolis office of the F.B.I., Special Agent Ray Williams said, "We are unable to comment on that."

Following the 71-day occupation of the village of Wounded Knee on the Oglala Sioux reservation of Pine Ridge in South Dakota by more than 200 Indian militants in the late winter and early spring of 1973, Mr. Means and Mr. Banks were indicted on Federal charges of conspiracy, larceny and assault on government officers.

Charges Dismissed

The charges were dismissed after an eight-and-a-half-month trial last Sept. 17 by Judge Frederick J. Nichol of Federal District Court when a juror became sick and the Government declined to proceed with a jury of 11. A Government appeal on the case was argued yesterday in St. Louis.

In dismissing the charges, Judge Nichol assailed the prosecution, contending that it had deliberately deceived the court. He was particularly critical of the F.B.I., whose agents, he said, had given testimony that was not true, and had withheld documents or furnished altered documents to defense attorneys.

"It's hard for me to believe that the F.B.I., which I have revered for so long, has stooped so low," the judge said.

In an interview last night, the 37-year-old Mr. Durham described what he said were his activities as an F.B.I. informer.

His cover was broken on Friday, he said, when, after some members of the group became suspicious, he was confronted with law enforcement documents that proved his role as an informer.

He said he was "relieved"

because he had come to respect Mr. Banks and to believe that A.I.M. was a "legal, social organization that wasn't doing anything wrong."

Mr. Durham, a large man with his black, shoulder-length hair, recounted his career as a police undercover agent in his native city of Des Moines, Iowa.

He said that after serving in the Marine Corps, he joined the Des Moines police force, working in a burglar-infested neighborhood, but left the force after his wife died.

He later worked in and then managed a series of restaurants, some of which became hangouts for burglars, Mr. Durham said.

At the same time, he added, he was learning to fly a plane and to scuba dive, and was developing skills as a photographer, studying locks and burglar tools and reading about psychology—all abilities that would eventually serve him as an informer.

He said that he began passing the information to the F.B.I. and the local police, and eventually became a police undercover operative on criminal cases in several Midwestern cities.

He said he was taking photographs for an underground paper called Pax, whose editor asked him to go to Wounded Knee during the Indian take-over.

Reporting this to the F.B.I., he entered the encampment with press credentials, took photographs and gave a report on the Indian group's defenses.

After returning to Des Moines, he said, the F.B.I. suggested that he get in touch with Harvey Major, the leader of the local A.I.M. chapter. Mr. Durham became the publicity

officer and later the assistant director of the chapter.

Mr. Durham's swarthy skin, dark eyes, and high cheekbones gives him an Indian look, and appearance heightened by the large turquoise ring and beaded belt buckle he wears and by the headband he wore around his hair when he was the Indian group's chief security officer. He told the A.I.M. members that he was one-fourth Chippewa.

At one point, he said he helped lead an armed take-over of the Grimes State Office Building in Des Moines. He said he first informed the state police of the impending take-over, and that they paid a \$100 fine he received for disturbing the peace.

It was his skill as a pilot that first brought him close to Mr. Banks, he said, and the F.B.I. encouraged him to maintain the relationship.

Mr. Banks had gone into hiding in Canada after the indictment and before the bond was raised. He got a message to Mr. Durham to meet him in Yellow Knife, in the Northwest Territories. Mr. Durham did, and Mr. Banks gave him two rolls of movie film that Mr. Durham turned over to the F.B.I.

Then, with the F.B.I.'s knowledge, Mr. Durham again flew to Canada in a rented plane and spirited Mr. Banks to Rapid City, S.D., in time to avoid forfeiting bond on state charges.

Later, Mr. Durham said that he flew Mr. Banks around the country on speaking trips and that at one point the F.B.I. gave him a \$1,000 "bonus," made out to the charter service, to pay for the plans.

OFFICE OF THE DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

MAR 16 1973

As of March 13, 1973, available information indicates an estimated 350 to 400 individuals are at Wounded Knee, Pine Ridge Indian Reservation, South Dakota, taking part in the occupation of that community under the leadership of the American Indian Movement. Previous estimates of the number of individuals at Wounded Knee have ranged as high as 1,000, many of whom are reportedly armed with assorted weapons, including automatic rifles and machine guns. The exact number of individuals at

ROUTE IN ENVELOPE

1 - Mr. Atkinson
1 - Mr. Morrissey

9/16/70

1 -
1 -
1 -
1 -

Airtel

To: SACs, Baltimore (157-2520) New Haven (157-785)
 Detroit (157-3214) San Francisco (157-601)
 Los Angeles (157-4054) Washington Field (157-1292)

From: Director, FBI (100-448006) - 2002

COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 BLACK PANTHER PARTY (BPP)
 RACIAL MATTERS

Rebuairtel 8/27/70 and San Francisco airtel 9/8/70,
 copies furnished all recipients.

Bureau concurs with observations of San Francisco concerning proposals submitted by Baltimore, New Haven, and Washington Field. In event these offices have specific proposals to make in line therewith, they should be separately submitted in detail requesting specific Bureau authority to implement them. ✓

Concerning the first proposal submitted by Detroit, counterintelligence action by San Francisco to capitalize on Huey P. Newton's favorable stand toward homosexuals has already been authorized by the Bureau. The second Detroit proposal to consider directing an anonymous communication to Newton accusing David Hilliard of stealing BPP funds and depositing them in foreign banks does have merit and the Bureau does not concur with San Francisco's observation that this would have little effect since there is no record that Hilliard is shilling large amounts of money. Purpose of counterintelligence action is to disrupt BPP and it is immaterial whether facts exist to *

1 - 105-165706 (BPP)

ABF:mlm/bjr (20)

MAIL ROOM ☐ TELETYPE UNIT ☐

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 OTHERWISE.

SEE NOTE PAGE THREE

MAILED 8
 COMM-FBI
 970613 1970

Airtel to SAC, Baltimore et al
 RE: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 BLACK PANTHER PARTY (BPP)
 100-448006

substantiate the charge. If facts are present, it aids in the success of the proposal but the Bureau feels that the skimming of money is such a sensitive issue that disruption can be accomplished without facts to back it up.

Accordingly, Detroit immediately furnish Bureau and San Francisco with specific suggestions and wording to this effect and San Francisco should then review same and submit specific proposal in this regard for approval by Bureau.

With respect to two anonymous letters proposed by Los Angeles, Bureau concurs with San Francisco that to include the card of a member of a rival black extremist group in a letter to Hilliard indicating Newton is marked for assassination could place the Bureau in the position of aiding or initiating a murder by the BPP. Accordingly, Los Angeles' proposal identified as "letter A" is not approved. Los Angeles should reword this letter to convey the same thought without directly indicating that it is from a specific member of a rival group. The letter could imply that the writer would soon get in touch with Hilliard to see what he would pay to have Newton eliminated. Resubmit the revised letter to the Bureau for approval.

Concerning the second anonymous letter identified as "letter B" submitted by Los Angeles to be directed to Newton apparently from dissident and expelled Los Angeles BPP members and aimed at undercutting previous leadership, this proposal is authorized. Los Angeles mail same in such a manner that it cannot be traced to the Bureau. Advise Bureau and San Francisco when mailed and of any positive results.

TO : DIRECTOR, FBI (100-448006)

DATE: 7/9/68

WFO inclined to feel the best way to implement the suggested counter-intelligence program against CARMICHAEL is by inaugurating a "whispering campaign" that he is an agent of the U. S. Government and doing organizing work among Negroes solely for the purpose of helping the government identify racial militants and future racial radicals. Further,

TO

DIRECTOR, FBI (100-448006)

DATE: 7/10/68

FROM

SAC, NEW YORK (100-161140) (P)

It is suggested that consideration be given to convey the impression that CARMICHAEL is a CIA informant.

One method of accomplishing the above would be to have a carbon copy of informant report reportedly written by CARMICHAEL to the CIA carefully deposited in the automobile of a close Black Nationalist friend. The report should be so placed that it will be readily seen.

It is hoped that when the informant report is read it will help promote distrust between CARMICHAEL and the Black Community. It is suggested that carbon copy of report be used to indicate that CARMICHAEL turned original copy into CIA and kept carbon copy for himself.

It is also suggested that we inform a certain percentage of reliable criminal and racial informants that "we heard from reliable sources that CARMICHAEL is a CIA agent". It is hoped that these informants would spread the rumor in various large Negro communities across the land.

TO

DIRECTOR, FBI (100-448006)

DATE: 9/9/68

On 9/4/68, a pretext phone call was placed to the residence of STOKELY CARMICHAEL and in the absence of CARMICHAEL his mother was told that a friend was calling who was fearful of the future safety of her son. It was explained to Mrs. CARMICHAEL the absolute necessity for CARMICHAEL to "hide out" inasmuch as several BPP members were out to kill him, and it would probably be done sometime this week. Mrs. CARMICHAEL appeared shocked upon hearing the news and stated she would tell STOKELY when he came home.

Memorandum

59

TO : DIRECTOR, FBI (100-448006)

DATE: 12/2/68

FROM : SAC, SAN FRANCISCO (157-601) - P

SUBJECT: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 RACIAL INTELLIGENCE
 (BLACK PANTHER PARTY)

Re Bulet 11/25/58.

On 11/19/68, a group of members of the BPP held up a service station in San Francisco and then, when stopped by the San Francisco Police Department, engaged in a shooting fray, in which three police officers were wounded. Participating prominently were two local [redacted] of the BPP, [redacted]. Only [redacted] was armed and did all the shooting, which took place close to Police Headquarters. The truck in which the Panthers were riding was clearly marked as a BPP vehicle. ELDRIDGE CLEAVER was reported in the press as being astounded at such an episode, with so little chance of success, and which received very bad publicity for the BPP. It was so illogical, he charged, that there must have been a police plant in the truck, and suspicion centered on [redacted] because he was the man in charge; likewise he had gone "to the men's room" during the holdup, and the BPP suspected he may have gone to phone the police.

[redacted] In order to help this idea, the San Francisco Office arranged through the SFPD to give [redacted] special privileges at City Prison, such as more lenient visiting hours, and to have the guards show him "extra" courtesy in front of other prisoners. Also, with Bureau concurrence, an anonymous letter was sent to BPP Headquarters via Omaha, where [redacted] was in August, 1968, organizing a new BPP branch, and where he had been temporarily detained and interviewed by police, suggesting

- 2 - Bureau (RM)
 1 - San Francisco

WAC/jr
 (3)

54 DEC 18 1968

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EXHIBIT K

SF 157-601

WaC/jr

[REDACTED]

that the brothers in Omaha were suspicious of [REDACTED], who had easily gotten out of jail on a local charge.

The success of this operation is unknown, however, it is certain to have added to the suspicions of the BPP toward [REDACTED] who is actually an important man in the San Francisco BPP.

The San Francisco Office wishes to point out that opportunities such as the above are rare, and fast action is necessary to successfully implement them. It cannot be expected that a planned disruption in the average case would be of such probable value.

It is believed that the BPP is becoming sensitive to the possibility of informers. This office will try to ascertain those Panthers who have been arrested and who the BPP thinks might start to talk. We would then formulate some plan to cast suspicion on the man. We must bear in mind that if the plan is successful, a gang-type murder may be the result.

Recently, the San Francisco Office ascertained that ELDRIDGE CLEAVER was "dating" teenage girls and neglecting his wife, the dynamic and handsome KATHLEEN CLEAVER. With Bureau permission, the dating information was made available to Mrs. CLEAVER. Results of the above are not known.

Attention will be given to this program on a continuous basis.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: October 8, 1963

FROM : Mr. [REDACTED]

- 1 - Mr. Belmont
- 1 - Mr. Mohr
- 1 - Mr. Sullivan
- 1 - Mr. Callahan
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

SUBJECT: GROUPS SEEKING INDEPENDENCE
FOR PUERTO RICO
COUNTERINTELLIGENCE PROGRAM
SUBVERSIVE CONTROL SECTION

~~CONFIDENTIAL~~

To: [] 61
Belmont []
Mohr []
Casper []
Callahan []
Conrad []
DeLoach []
Evans []
Gale []
Rosen []
Sullivan []
Tavel []
Trotter []
Tele. Room []
Holmes []
Gandy []

Federacion de Universitarios Pro Independencia (FUPI) is a Marxist oriented student organization at the University of Puerto Rico (UPR) which is affiliated with the communist controlled International Union of Students.

Special Agent [REDACTED] of the San Juan Office recognized newspaper photographs taken at the "Solidarity with Cuba" rally in Brazil during April, 1963, as including [REDACTED] and [REDACTED] officials of FUPI. He sent the newspaper photographs to the Bureau along with a suggested text in Spanish language to be used in a counterintelligence leaflet to be distributed at the UPR.

The leaflet was prepared at the Bureau and 4,000 copies sent to the San Juan Office where they were distributed anonymously in bulk on 9/5/63 to known anti-FUPI and anticommunist groups at UPR and also in the College of Agriculture and Mechanical Arts in Mayaguez, Puerto Rico. The leaflet clearly shows the communist influence in FUPI

The counterintelligence results from this leaflet were highly successful.

(1) "El Mundo," a leading Spanish language daily newspaper in Puerto Rico, reproduced the photographs and part of the text from the leaflets on the front page of the 9/16/63 issue of that paper, thus giving the widest possible dissemination of the damaging information regarding FUPI. REC-3

(2) The leaflet created panic and dissemination among the ranks of FUPI who believe the leaflet was prepared by an anticommunist organization active on the campus of UPR.

(3) As a result of this panic, FUPI has suspended efforts to recruit new members. They had been in the midst of a recruiting drive at the time.

~~CONFIDENTIAL~~

105-93124

BGLP:eroc

(7)

JAN 23 1964

See Addendum Administrative Division page 2a.

Classified by []
Exempt from GDS, Category []
Date of Declassification Indefinite

Memorandum to Mr. W. C. Sullivan
 RE: GROUPS SEEKING INDEPENDENCE
 FOR PUERTO RICO
 105-93124

~~CONFIDENTIAL~~

(4) The leaflet has made new students aware of the true nature of FUPI as evidenced by the several complaints received by local police from new students and their parents concerning efforts on part of FUPI to recruit new members.

CONCLUSIONS:

Special Agent [redacted] exhibited outstanding initiative in recognizing the officials of FUPI in newspaper photographs and also in recognizing the counterintelligence potential of the photographs. Not only did he recognize the potential but he followed through in submitting his suggested Spanish language text to the Bureau and in the distribution of the completed leaflets.

RECOMMENDATION:

It is recommended that an appropriate incentive award be made to Special Agent [redacted] in an amount to be determined by the Administrative Division.

ADDENDUM: 10/8/63

SA [redacted] is assigned to the Subversive Control Section of the Domestic Intelligence Division and is charged with the supervision of pro-Puerto Rican Independence groups and the supervision of investigations thereof. SA [redacted] displayed outstanding performance in connection with the discharge of his supervisory duties in this matter. He gave instructions and guidance to the field which were clear and concise and made suggestions to the field which were instrumental in bringing this matter to a successful conclusion.

JFB:mjt

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

CONFIDENTIAL

63

TO : Mr. W. C. Sullivan *WCS*

DATE: October 10, 1968

FROM : Mr. G. C. Moore *GC*

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE -
(BLACK PANTHER PARTY)

PURPOSE:

To recommend attached item be given news media source on confidential basis as counterintelligence measure to help neutralize extremist Black Panthers and foster split between them and Student Nonviolent Coordinating Committee (SNCC).

BACKGROUND:

There is a feud between the two most prominent black nationalist extremist groups, The Black Panthers and SNCC. Attached item notes that the feud is being continued by SNCC circulating the statement that:

"According to zoologists, the main difference between a panther and other large cats is that the panther has the smallest head."

This is biologically true. Publicity to this effect might help neutralize Black Panther recruiting efforts.

ACTION:

That attached item, captioned "Panther Pinheads," be furnished a cooperative news media source by the Crime Records Division on a confidential basis. We will be alert for other ways to exploit this item.

Enclosure
100-448006

- 1 - Mr. C.D. DeLoach
- 1 - Mr. W.C. Sullivan
- 1 - Mr. T.E. Bishop
- 1 - Mr. G.C. Moore

1 - [REDACTED]
1 - [REDACTED]
1 - [REDACTED]
1 - [REDACTED]
1 - [REDACTED]

6101000-010

OCT 23 1968

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan *WCS*

DATE: May 21, 1969

FROM : G. C. Moore *GC*

SUBJECT: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 RACIAL INTELLIGENCE
 (BLACK PANTHER PARTY)

Attached is an article concerning the criminal activities of the Black Panther Party (BPP) for the Crime Records Division to furnish a cooperative news media source on a confidential basis.

The extremist and highly violent BPP has been involved in criminal activities since its inception. The BPP has been involved in robberies, attacks on police officers, and other serious crimes. Many individual members have long criminal records. Details of this activity have been compiled in the attached article.

Exposure of these activities by nationwide news media would show the true nature of this extremist group.

ACTION:

That attached article be furnished a cooperative news media source on a confidential basis by the Crime Records Division to expose the criminal nature of the BPP.

Enclosure

100-448006

TJD:ekv (9)

- 1 - Mr. DeLoach
- 1 - Mr. W. C. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. G. C. Moore
- 1 - [REDACTED]
- 1 - [REDACTED]
- 1 - [REDACTED]
- 1 - [REDACTED]

55 JUN 11 1969

JUN 6 1969

TELETYPE

NR008 SE CODE

6:13 PM NITEL 3-16-73 DCB


TO ACTING DIRECTOR

MINNEAPOLIS

FROM SEATTLE (P) 4PG

Mr. Thompson	
Mr. Walters	
Tele. Room	65
Mr. Kinley	
Mr. Armstrong	
Mr. Evers	
Mr. Hartigan	
Mr. Herwig	
Mr. Minz	
Mr. Neenan	

RE BUREAU TELETYPES TO MINNEAPOLIS AND SEATTLE DATED
3/9 AND 3/13/73.

 RADIO STATION KIXI, ~~TO MAR 22 1973~~
SEATTLE, WASHINGTON, ADVISED ON 3-14-73 STATION'S BLACK NEWS

END PAGE ONE

CC - 

SE PAGE TWO

REPORTER, CLARENCE MC DANIELS, HAD RETURNED TO SEATTLE FROM
WOUNDED KNEE (WK), SOUTH DAKOTA, BUT AT THE REQUEST OF UPI,
NEW YORK, HAD AGREED TO RETURN TO WK. ACCORDING TO UPI, NEW
YORK, WK INDIANS WILL NOT TALK TO THEIR CORRESPONDENT; HOWEVER,
THEY HAVE IMPLICIT TRUST IN MC DANIELS AND WILL TALK TO HIM.
MC DANIELS LEFT SEATTLE 3-13-73 EN ROUTE WK, WAS LAST HEARD
FROM 160 MILES FROM WK STUCK IN SNOW STORM; HAD NOT REACHED WK
AS OF 10:00 AM, 3-16-73. MC DANIELS IS EXPECTED TO CONTINUE
FURNISHING COMPLETE COVERAGE OF ACTIVITIES AT WK TO KIXI BY
PHONE AND TAPES. HE WILL BE REQUESTED TO DO SPECIAL STORY
ON SEATTLE AREA PARTICIPANTS. HE IS UNAWARE THAT HIS STORIES
ARE NOT BEING PUBLICIZED IN FULL OR THAT THE INTELLIGENCE
INFORMATION AND HIS TAPES ARE BEING FURNISHED THE FBI. KIXI
OFFICIALS REQUEST HE NOT BE CONTACTED AT WK; HOWEVER, IF ANY
SPECIFIC INFORMATION IS NEEDED BY FBI, KIXI WILLING TO PASS
ON REQUEST AS NORMAL DUTY ASSIGNMENT WITH NO REFERENCE TO FBI.
MC DANIELS WILL BE MADE AVAILABLE TO FBI, SEATTLE, FOR FULL
INTERVIEW UPON RETURN TO SEATTLE AT WHICH TIME IT IS HOPED
ALL OF THE SEATTLE AREA PARTICIPANTS WILL BE IDENTIFIED WITH

Charles Abourezk says FBI report a 'fabrication'

6/26/76

GLADSTONE

River Editor

Charles Abourezk declared in Rapid City Friday that the Federal Bureau of Investigation report released about him this week is "fabricated to serve the FBI's own purposes."

He said he was referring to the investigative report made available by his father, Sen. James Abourezk, Tuesday to the Washington Star. The senator declared at that time that the allegations about his son were part of a smear campaign "to discredit him."

Charles, who said he is employed as an Oglala Sioux tribal attorney, read a red statement prepared by himself, Sam Moves Camp, an Oglala Sioux medicine man, and Rene LeDeaux, Rapid City.

It was near LeDeaux's home that Rapid City police began digging Thursday in a search for arms and ammunition.

The three said they feel the FBI memo "released by it to all law enforcement agencies and others of this type served as a method of provoking already tense law enforcement people, who have been told to expect anything this summer, to a point where fear and violence could be their only possible reaction."

Young Abourezk was flanked by Moves Camp and LeDeaux as a Wounded Knee Legal Defense/Offense Committee worker announced that Abourezk would read the statement but "no questions would be answered."

The statement went on: "We know of no such organization as 'Dog Soldiers,' a term used in the report provided the senator, and that 'none of us has ever transported or stored ammunition, guns or explosives and we have no knowledge of any 'gun running.'"

"This statement is further proven by the fact that Moves Camp is an Oglala Sioux medicine man and cannot carry any kind of weapons, only the Sacred Pipe."

"We feel that this is only one of many such memos and that they serve several purposes: that because of the detailed descriptions of our addresses and vehicles, it serves as a disguised 'hit list' for the various law enforcement agencies across the country; inviting open harassment of the individuals named in it and at worst, providing possible targeting for political assassinations."

"We feel this memo is evidence of a massive domestic intelligence and para-military operation currently in existence within this nation against those who are working for the rights of Native Americans. These memos can only serve to justify escalation of these domestic operations."

"Moves Camp," the statement continued, "was recently a victim of one of these disrupting programs by the government. He was tailed by the FBI all the way to Canada where he was attending a conference of Indian spiritual leaders. This information was purposely leaked by the FBI to a contact participating in the conference, seeking to cause anger and disruption among those attending. Later an FBI teletype similar to this one was released with the same fabricated allegations."

"We strongly feel that we may already be victims of the purpose and intent of this memo."

"Two days ago, an all points bulletin was issued for Charles Abourezk concerning an incident that supposedly occurred in scenic white at the time he was at a legal office in Rapid City."

"Yesterday and today, Rene LeDeaux's residence was under surveillance by the FBI and local police and they are continuing to dig a large hole outside her yard, supposedly searching for guns. One of her neighbors was offered \$500 to give the police information and when she hesitated they offered to increase that ten times."

Stan Zakinski, Rapid City assistant police chief, said the department had offered no reward to anyone for information which led to the digging. He said, "the tip came from what we will have to say is an anonymous source and we paid nothing for it."

The statement read by Abourezk concluded: "We know that the all points bulletin and the search for guns are fabricated setups by the police, and only the beginning of the harassment that we may be receiving in the future, possibly worsened because of the release of this statement."

The report which the senator said was an FBI memo alleges that the "Dog Soldiers" were to meet June 25 or immediately thereafter at the residence of Howell (LeDeaux) for "final assignments to the Dog Soldiers for targets throughout the state on the Fourth of July weekend."

The memo also alleged that Moves Camp, "an acting American Indian Movement member, allegedly transports the weapons from Redman Street (number unknown), Omaha, to the residence of Charlie Abourezk."

Rapid City police reported they began the digging near the LeDeaux residence because they had been told that guns, ammunition and explosives were buried in the lot.

State Radio, the Pennington County Sheriff's office, Rapid City Police Department and local office of the U.S. Marshal's Service all said they had heard no all points bulletin for young Abourezk recently.

(Ed. Note: As with other groups targetted by the FBI, the Bureau's analyses and recommendations for action concerning AIM seem contradictory. The FBI memos excerpted below suggest a self-fulfilling prophecy regarding violence, especially through the use of "extremist informants" who often become agents provocateur.)

Airtel to Albany

Re: American Indian Movement (AIM)

(5/4/73)

A forceful and penetrative interview program of individual activists should be instituted. Conduct interviews in accordance with existing instructions under SAC authority if facts necessitating Bureau approval are not present. Such a program should present excellent opportunity for developing extremist informants among Indian activists dedicated to violence and confrontations best exemplified by the Wounded Knee situation.

MP 157-1458

(1975)

The goals and objectives of AIM remain essentially the same, as those stated in the past.

The objectives most frequently espoused in public are:

1. Abolish the Bureau of Indian Affairs (BIA).
2. Establish AIM Indian Survival Schools throughout the country.
3. Cause the U.S. to honor its treaties with the Indian tribes.
4. To acquire separate and independent nation status for Indian tribes occupying federal reservations.
5. To halt strip-mining and similar exploitation of natural resources on Indian land.
6. To generate unification within the Indian people.
7. To bring the economic status of the Indian Americans up to that of the general community.

(1975)

Any full investigation involves a degree of privacy invasion and that of a person's right to free expression. Informant coverage is the least intrusive investigative technique capable of producing the desired results. Thus, because of specific factors surrounding this case, it is recommended that a full investigation be conducted.

TO : Mr. Gebhardt

DATE: 4/24/75

FROM : J. E. O'Connell

SUBJECT: THE USE OF SPECIAL AGENTS
OF THE FBI IN A PARAMILITARY
LAW ENFORCEMENT OPERATION IN
THE INDIAN COUNTRY

1 - Mr. Gebhardt
1 - Mr. Bates
1 - Mr. O'Connell
1 - Mr. Gordon
1 - Mr. Wannall
1 - Mr. Mosher
1 - Mr. Gallagher
1 - Mr. Mintz
1 - Mr. Mooney
1 - Mr. McDermott

Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

PURPOSE: This position paper was prepared for use of the Director of the FBI to brief the Attorney General and the Deputy Attorney General (DAG) on the role of the FBI in the event of a major confrontation in Indian country (Federal jurisdiction) where (1) the President decides against the use of troops; and (2) the FBI is ordered by the President and/or the Attorney General to deploy FBI Special Agents in a paramilitary law enforcement situation, in lieu of the use of troops.

Throughout the operation there was a definite lack of continuity as each senior representative replaced another. Colonel Volney Warner (now General), Chief of Staff, 82nd Airborne Division, was dispatched to Wounded Knee at the outset to assess the situation and to recommend whether or not troops should be utilized. The AG issued instructions there was to be no confrontation and negotiations with the militants by representatives of the DOJ were to be entered into to resolve the matter and have the hostages released.

There was a divided authority among the many agencies present at Wounded Knee, including church and social groups. The senior Government representative, Departmental Attorneys, and members of the USA's Staff issued conflicting instructions. Each representative present on the scene took instructions for the most part from superiors of his own agency. For example, on March 4, 1973, after consulting with Colonel Warner, Ralph Erickson issued orders that the use of deadly force by the law enforcement officers on the scene could only be used in self-defense to avoid death or serious bodily harm. In the application of force the officers, including FBI Agents, were to aim to wound rather than kill. This was in direct conflict with the policy of the Bureau that an Agent is not to shoot any person except when necessary in self-defense, that is, when he reasonably believes that he or another is in danger of death or grievous bodily harm. Special Agents are not trained to shoot to wound. Special Agents are trained to shoot in self-defense to neutralize the deadly force. The SACs on the scene and officials at FBIHQ strenuously objected to orders such as this which had previously been approved by the AG without consultation with any FBI official.

The FBI encountered extreme problems, both in the field and at FBIHQ, in adapting to a paramilitary role. The FBI was not equipped logistically to operate in a paramilitary situation in open terrain which ultimately ended in a 71-day siege. The FBI and USMS had to be equipped with military equipment, including Armored Personnel Carriers (APCs), M-16s, automatic infantry weapons, chemical weapons, steel helmets, gas masks, body armor, illuminating flares, military clothing and rations. Authority had to be obtained from both the AG (and/or his representative) and from the General Counsel, Department of Defense, prior to requesting the military logistics adviser, Colonel Jack Potter, to obtain the weapons and material through the Directorate of Military Support (DOMS). This clearance was often not forthcoming when clearance had to be obtained during the night hours. This phase of the operation required the FBI to maintain a constant 24 hour vigilance so as to equip our Special Agents and the other law enforcement officers with the weapons and material needed for a defensive operation.

=====

RECOMMENDATION: The Director meet with the AG and DAG to brief them on the Wounded Knee incident so that they fully understand if such an incident occurs in the future or an incident similar to Wounded Knee and the FBI is involved, the FBI will insist upon taking charge from the outset and will not countenance any interference on an operational basis with respect to our actions. They should understand the FBI due to its long years of experience and training is able to make law enforcement decisions without over-reacting to protect the general public, its Special Agent personnel, and the violators of the law. The AG and DAG should be advised it is our broad policy in such instances as this to "get in and get out as quickly as possible" with complete regard for the safety of all concerned. The FBI furthermore would seize control quickly and take a definite, aggressive stand where necessary. It should be clearly stated that the FBI does not desire to become involved in any political situations and definitely not participate in any discussion where it is obviously political in nature.

=====

Dissemination

(from 1975 FBI Memo on AIM)

? Reports are disseminated when appropriate, to interested agencies, including the Department of Justice, CIA, Secret Service, DIA, and Military Intelligence. In view of foreign travel by AIM leaders and interest in AIM abroad, periodic reports from and to foreign agencies, for information relative to above activities, as well as an interchange of information between the FBI and the CIA, is necessitated.

Due to the AIM's violence potential, which is frequently directed toward local and state governments and police officers, timely dissemination of specific intelligence information affecting their agencies, is of utmost importance.

Memorandum

TO :

SAC, LOS ANGELES (157-8781)

DATE: 3/29/79

FROM :

[illegible]

SUBJECT:

ERNIE LOUIS PETERS

DS - AIM

00: LA

Pursuant to instructions from Supervisor of Squad 11, it is recommended that this case be reassigned to an Agent on Squad 11 currently working Domestic Security investigations.

It is further recommended that this case be assigned to [redacted] who has been briefed on all pertinent facets regarding the AIM investigation. 103.26.74

123-29-79
R. P. 18514

1975 iFBI Memo

MP 157-1458

JOHN FRANCIS TRUDELL

JOHN FRANCIS TRUDELL continues as the National Chairman of the AIM and of the National Leadership has been involved in radical Indian activities longer than any other AIM leader. TRUDELL is an intelligent individual and is an eloquent speaker who has the ability to stimulate people into action. TRUDELL is known as a hardliner who openly advocates and encourages the use of violence although he himself never becomes directly involved in any fighting.

TRUDELL had established a semi-permanent residence in So. Paul, Minnesota, but his closest and immediate family ties remain in Nevada.

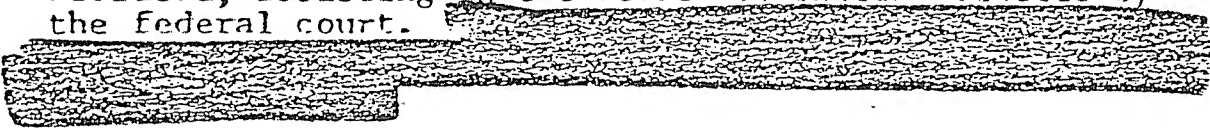
TRUDELL has appeared numerous times on the Lecture Circuit in behalf of AIM and is usually well-received.

TRUDELL, a Santee Sioux, continually attacks the system wherever he goes and is a close friend of AIM National Press Secretary GEORGE ROBERTS. TRUDELL has been active in AIM-type confrontations with authorities at Eagle Bay, New York; Kenora and Ottawa, Ontario, Canada; and Shiprock, New Mexico.

JOHN TRUDELL has been involved in the area of Indian conflicts/demonstrations longer than any other AIM member. He is intelligent and extremely eloquent when he speaks. TRUDELL has the ability to meet with a group of "pacifists" and in a short time have them yelling and screaming "right-on". In short, he is an extremely effective agitator.

TRUDELL is an ardent racist and has been active in supporting a variety of racist groups such as the Puerto Rican Nationalist Party (PRP) through appearances and speeches. TRUDELL favors the forming of coalitions among minority activist groups for increased "political clout".

TRUDELL has spent some time in Lincoln, Nebraska, assisting in the review of Indian Treaties by the federal court.



TRUDELL is a former U.S. Navy Veteran and served in the Vietnam conflict aboard a destroyer.

How Many More? Death at Duck Valley

Water rights activist, Tina Manning Trudell, pregnant wife of American Indian Movement National Chairman, John Trudell, was killed in a fire on 12 February 1979 along with their children and her mother Leah Manning. Arthur Manning, Tina's father and past Tribal chairman, was critically injured in the blaze. All five were killed in an apparent arson attack on their home on the Duck Valley Reservation in northern Nevada.

The apparent attack follows a pattern of threats, repression and murders carried out against members of the American Indian Movement.

Tina Trudell had been a leading organizer in the struggle to retain the water rights to the Wildhorse Reservoir, which was built in the 1930's by the Bureau of Indian Affairs for the exclusive purpose of supplying irrigation water to the Duck Valley reservation. Wildhorse Reservoir is the only potential source of water for the reservation but local non-Indians have begun using the reservoir for recreational purposes and have applied to the state of Nevada for exclusive rights to the water as well as the surrounding lands. Tina also worked with John to organize the Minnesota Citizens' Review Commission on the FBI in Minneapolis.

John Trudell, as one of the coordinators of the Leonard Peltier Defense Committee, was in D.C. when he was notified of the deaths. John had been a featured speaker at the rally on 11 February 1979 in front of the FBI building where he spoke of the abuses perpetrated by the FBI against the Native American people and other movements for social change. At approximately 2:00 pm, during the speech, Trudell burned the American flag as a symbol of the contempt and anger at the continued policy of genocide of the United States government against the Indian people. At 2:00 am, some twelve hours later, the Trudell home was burned by a fire which consumed the cinder block structure. Local people on the Duck Valley Reservation believe that the fire was intentionally set.

In December 1977, while serving 60 days for cursing at a U.S. Marshal in the hallway outside an adjourned court, word came to John Trudell from the FBI that if he didn't cease his activities on behalf of the people or leave the country, the FBI would get him or his family.

AIM has called for a "Red Alert of all our members in what seems to be an escalation of the war against Indian people to rip off all our energy resources and water following the critical situation facing the United States following their defeat in Iran."

72 (Ed. Note: In 1975 a number of investigations were launched into FBI handling of Native American matters. That same year the FBI stepped up a campaign of armed confrontation with AIM members; on several occasions the FBI surrounded homes of AIM members and began firing weapons. In one instance, when AIM members defended themselves and their families, two FBI agents were killed. Almost immediately the investigations of FBI abuses concerning AIM were quietly shelved.)

Chicago Tribune, Friday, March 14, 1975

AIM activist FBI Informer

By William Mullen

A KEY AIDE to Dennis Banks, leader of the American Indian Movement, Thursday admitted he was a paid informant for the Federal Bureau of Investigation while he worked for Banks.

Douglas Durham, 37, told reporters at a press conference in the lobby of the Dirksen Federal Building that he had been on the FBI payroll since joining AIM in March, 1973.

Durham said he became so closely involved with AIM leadership that he often wrote position papers for the militant organization, established its national offices, and was privy to secret strategy sessions while he informed on AIM.

At one point, Durham said, he even used \$1,000 provided by the FBI to rent a small plane and secretly fly Banks to Canada following the 71-day 1973 AIM occupation of Wounded Knee, S. D.

DURHAM, A FORMER Des Moines policeman, said he became an official AIM spokesman at the same time he was being paid roughly \$1,100 a month by the FBI to pass on travel schedules and plans of AIM leaders.

"I was supposed to give the government any information I could find about foreign involvement in AIM," Durham said. He said his spy role bothered him as he came to admire AIM's involvement in Indian civil rights struggles.

"I find it to be a morally upstanding organization that has done nothing illegal," he said.

Joseph Trimbach, special agent in charge of the Minne-

apolis FBI office, said in response to Durham's statement, "Our policy is not to comment on matters which are subject to a pending litigation." R. D. Hurd, assistant United States attorney for South Dakota and chief prosecutor at the AIM trial in Minneapolis, said he would not comment.

DURHAM'S ACTIVITIES came to light last Friday when AIM officials confronted him in Des Moines with intercepted documents, he had been sending to the FBI.

Durham admitted he gave the FBI secret information from defense strategy meetings during the trial of AIM co-leaders Banks and Russell Means when they faced charges from the Wounded Knee incident.

He said he had acted as AIM's security chief during the trial and was privy to the defense strategy meetings. During the trial the federal government produced a sworn affidavit contending the government did not have any informants in the AIM defense team.

Kenneth Tilsen, attorney for AIM, who was with Durham at the press conference along with other AIM officials, said Durham's involvement may have prejudiced other cases now pending against AIM members.

When the government finally withdrew the Wounded Knee case from the courts, Durham continued to work for Banks, acting most recently as Banks' liaison between AIM and police in the Gresham, Wis., monastery occupation in January.

AIM officials have asked Sen. Frank Church (D., Idaho), chairman of the Senate Select Committee on Intelligence, to investigate FBI involvement.

Memorandum

TO : Mr. J. B. Adams
FROM : Legal Counsel
SUBJECT: SENSTUDY 75

DATE: 6-27-75

Attached is a letter from the Senate Select Committee (SSC), dated 6-23-75, addressed to the Honorable Edward H. Levi. This letter announces the SSC's intent to conduct interviews relating to Douglas Durham, a former Bureau informant. The request obviously relates to our investigation at "Wounded Knee" and our investigation of the American Indian Movement (AIM). This request was received 6-27-75, by Legal Division.

On 6-27-75, Patrick Shea, staff member of the SSC requested we hold in abeyance any action on the request in view of the killing of the Agents at Pine Ridge Reservation, South Dakota.

Memorandum

TO: [Handwritten initials]
FROM: [Handwritten initials]
SUBJECT: [Handwritten initials]

DIRECTOR, FBI (100-448006)

DATE: 5/8/69

SAC, NEW YORK (100-161140) (P)

COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL MATTERS
(RNA)

Tracy

ReNYlet, 4/22/69.

As noted in re NY letter the NYO sent out 32 postcards to RNA members in NYC area advising them to attend meeting of all members at Hotel Diplomat, Saturday, 4/26/69, at 2:00 PM.

[Redacted] advised that the RNA members received stamped cards advising them of the meeting scheduled for 4/26/69. An RNA member called [Redacted] to verify meeting and [Redacted] stated that she did not schedule any meeting on that date. They deduced that police department had stamp duplicated and scheduled meeting to get all RNA members together so they could make mass arrest.

At another meeting of RNA all members were requested to submit handwriting specimens with their own pens and in the exact words used in postcards. The RNA officials are trying to determine if this "trick" could have been pulled by an RNA member.

The NYO plans to schedule additional meetings of the RNA, as conditions warrant. The Bureau will be kept advised.

1-806

REC-43

100-161140-905

(2) Bureau (RM)
1- New York (43)

12 MAY 9 1969
6361-6-1171

JJD:tf
(3)

EX-11

RACIAL INT. SEC. [Handwritten signature]



Memorandum

TO : DIRECTOR, FBI (100-448006)

DATE: 3/11/71

FROM : SAC JACKSON (100-980) (P)

SUBJECT: COINTELPRO
BLACK EXTREMISTS
RM

Re Jackson quarterly progress letter to Bureau, 12/2/70

QUARTERLY PROGRESS LETTERI. OPERATIONS UNDER CONSIDERATION

Jackson informants and other investigation by the Jackson Division has resulted in information being developed that the Republic of New Africa (RNA), which up until this time has only had a small inactive consulate in Miss., has recently been making intense efforts to obtain land in Miss. In this regard, they have recently obtained temporary use of several acres of land owned by a Negro male in a rural area on U. S. Highway 22 near Brownsville, Miss., which is located about 15 miles west of Jackson. The RNA supporters have begun construction of some buildings on this property and the RNA leaders have announced a National People's Center Council meeting will be held at this location on the weekend of 3/26-28/71.

In view of these developments and the potential that this situation has for rejuvenating the membership and the activity of the RNA, Jackson feels that this development warrants counterintelligence action.

Jackson Division is currently evaluating several possibilities for counterintelligence proposals in this regard and it is anticipated that requests for approval of a proposal will be forthcoming in the future.

2 - Bureau (RM)
2 - Jackson

TF/pap
(4)

REC-79
EX-114

8 MAR 15 1971

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE.

RACIAL INT. SECT.

MAR 22 1971

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

8/17/70 6:00 (S)

1

Airtel

ROUTE IN ENVELOPE

To: SAC, Jackson

From: Director, FBI

PERSONAL ATTENTION

(C)
 COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 RACIAL INTELLIGENCE
 (REPUBLIC OF NEW AFRICA)

ReJNairtels 8/3, 4 and 5/70 which advised the Republic of New Africa (RNA) regional conference in Jackson had been disrupted and support by residents of Jackson had been curtailed as result of articles printed in the "Jackson Daily News," Jackson, Mississippi.

In reairtels Detroit and New Orleans were requested to advise of any additional tangible results which could be attributed to these articles concerning the RNA. Upon analyzing all tangible results of this counterintelligence operation, you should consider recommending commendations for appropriate personnel.

MAILED 25	AUG 17 1970
COMM-FBI	

IA:sef
 (6)

NOTE:

REC-42

EX-11

AUG 18 1970

Jackson recommended and Bureau authorized that office to furnish public source data concerning violent nature of RNA to a trusted news source on a confidential basis. [REDACTED] exposing the violent nature of RNA which were printed on the front pages of the "Jackson Daily News," only state-wide evening newspaper in Mississippi.

Tolson _____
 Sullivan _____
 Mohr _____
 Bishop _____
 Brennan, A.D. _____
 Callahan _____
 Casper _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Tavel _____
 Walters _____
 Soyars _____
 Gandy _____

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

EXCEPT WHERE SHOWN

OTHERWISE.

NOTE CONTINUED PAGE TWO

AUG 26 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

(Ed. Note: In 1971 the police and the FBI raided the Mississippi home occupied by citizens of the Republic of New Africa. The raid was conducted under extremely suspicious circumstances and many people believe it was a staged set-up. RNA leader Imari Obedele was in the RNA offices away from the home at the time of the raid. Despite this fact, Obedele - referred to as "Henry" in the FBI memos - was arrested and convicted on charges of conspiracy to assault an FBI agent involved in the raid. While the charges were still pending, the Jackson office of the FBI agitated vigorously to have Obedele tried on the conspiracy charges, even though the Justice Department was worried it had a weak case. Obedele was convicted of the charges and spent years in the penitentiary, being released in late 1979.

Whenth

When the FBI decided to close its case file on the RNA, one of the reasons cited in a 1976 memo was that the shootout in Mississippi and other incidents were "spontaneous" and "not pre-planned or agreed upon by the leadership," thus showing the original conspiracy charges against Obedele to be a fiction created by the FBI itself in order to remove Obedele as an organizer, and disrupt the RNA.)

4:54 PM IMMEDIATE 7/12/73 VCG

TELETYPE

TO DIRECTOR (184-38)

FROM JACKSON (89-24) 7P

P. J. [unclear]

IT IS APPARENT TO JACKSON THAT SOMEONE ON A HIGH LEVEL IN THE DEPARTMENT OF JUSTICE IS RELUCTANT TO PURSUE THIS MATTER, WITHOUT GIVING JUSTIFIABLE REASONS, IN SPITE OF ASSURANCES TO THE DEPARTMENT BY U. S. ATTORNEY, JACKSON AND DEPARTMENTAL ATTORNEYS IN JACKSON THAT SUFFICIENT EVIDENCE EXISTS TO CONVICT SUBJECT HENRY AND OTHER SUSPECTS AS WELL AS TO OVERCOME THE CURRENT MOTION TO SUPPRESS.

[REDACTED] AND [REDACTED] FEEL STRONGLY THAT THIS CASE SHOULD PROCEED IN COURT AND HENRY AND THE OTHER SUBJECTS BE HELD ACCOUNTABLE FOR CONSPIRING TO ASSAULT AN FBI AGENT. THEY ARE CONCERNED THAT A MISCARRAGE OF JUSTICE IS ABOUT TO TAKE PLACE. THEY ARE AWARE THE JUSTICE DEPARTMENT HAS SENT ATTORNEYS TO JACKSON DURING PAST SEVERAL YEARS TO HANDLE CASES BELIEVED BY THEM TO BE OF LESS GRAVITY. [REDACTED] ADVISED HE HAS APPOINTMENTS WITH U. S. SENATORS JAMES O. EASTLAND AND JOHN STENNIS, FRIDAY, 7/13/73, TO REQUEST THEM TO

INTERVENE WITH THE DEPARTMENT OF JUSTICE TO REMOVE WHATEVER
OBSTACLES ARE BLOCKING THE ORDERLY PROCEDURE OF THIS CASE INTO
USDC FOR TRIAL.

THE BUREAU IS REQUESTED TO DISCUSS THIS MATTER WITH THE
DEPARTMENT ON WHATEVER LEVEL IS REQUIRED TO REMOVE ALL OBSTACLES
TO PROSECUTION.

IF THIS CASE IS NOT VIGOROUSLY PURSUED AND CHARGES ARE
DROPPED, PUBLICITY IN THE MATTER WILL BE SPREAD TO ALL EXTREMIST
ORGANIZATIONS THROUGHOUT THE UNITED STATES BY THE RNA. HENRY'S
PREVIOUS PUBLIC STATEMENTS CAN LEAVE LITTLE DOUBT THAT HE WOULD
UTILIZE SUCH ACTION TO INCREASE HIS OWN STATUS. THE RESULT
COULD SERIOUSLY INCREASE SIMILAR ASSAULTS ON AGENTS ACROSS THE
UNITED STATES.

TO: DIRECTOR, FBI (62-116451)
FROM: SAC, DETROIT (66-4906) (P)

ATTORNEY GENERAL GUIDELINES FOR FBI
INFORMATION - GATHERING AND RETENTION POLICIES

DOMESTIC SECURITY INVESTIGATIONS

Re Bureau airtel to Albany, 5/21/76.

UACB, Detroit intends to place its national case file
on the RNA (Defile 157-2413) in pending inactive status, in
view of the recommendation set forth in summary for discontinuance
of investigation of the RNA, its leaders and members.

The following can characterize the above mentioned
events:

Violations of the State law by the RNA were not
planned and resulting shootouts were spontaneous.

Violations of Federal law were by members. Their
actions were not pre-planned or agreed upon by the leadership.
These violations dealt primarily in the firearms area.

~~PAUL H. McCLOSKEY, JR.~~
12TH DISTRICT, CALIFORNIA

COMMITTEE ON
GOVERNMENT OPERATIONS
AND
COMMITTEE ON
MERCHANT MARINE
AND FISHERIES

Congress of the United States

House of Representatives

Washington, D.C. 20515

September 21, 1979

205 CANNON BUILDING
WASHINGTON, D.C. 20515
(202) 225-5411

DISTRICT OFFICE:
305 GRANT AVENUE
PALO ALTO, CALIFORNIA 94306
(415) 326-7383

Mr. William H. Webster
Director
Federal Bureau of Investigation
10th and Pennsylvania Avenue, N. W.
Washington, D. C. 20535

Handcarried PERSONAL

Dear Director Webster:

Re: Geronimo Pratt Case

I hope you will give this letter your immediate attention, as it raises a very serious matter.

I have finally had the chance to review your letter of July 12 on the above case and to compare it with the documents previously made public by the FBI. I am deeply disturbed to find a statement in your letter that is patently untrue. You say (at page 5):

"Pratt was not the target of the FBI's COINTELPRO".

This may be true as to December, 1968, when the murder allegedly committed by Pratt occurred, but it is clearly not true as to the period of Pratt's arrest and trial, the period when it would have been easiest to frame Pratt.

FBI documents are precise and explicit. A Memorandum from the Special Agent in Charge (SAC) of the FBI's Los Angeles Field Office to the FBI Director, dated January 28, 1970, captioned, "COUNTERINTELLIGENCE PROGRAM, BLACK NATIONALIST -- HATE GROUPS, RACIAL INTELLIGENCE, BPP", proposes that the FBI write and distribute two fake "counterintelligence leaflets" and an anonymous underground newspaper "to attack, expose, and ridicule the image of the BPP in the community and foment mistrust and suspicion amongst the current and past membership." Referring to the first leaflet, the Memo states on page 2:

"Operation Number One is designed to challenge the legitimacy of the authority exercised by ELMER GERONIMO PRATT, BPP Deputy Minister of Defense for Southern California."

The second example is contained in an Airtel from SAC Los Angeles to the Director of the FBI, dated August 10, 1970, which bears the same COINTELPRO caption. This Airtel proposes that the Bureau send fake letters to Panther leader Huey Newton, upon his release from prison, charging that during Newton's absence Party members in Los Angeles had been "brutalized and mistreated" by Pratt and David Hilliard, then National Chief of Staff of the BPP. The letters were designed to promote a split in the Party, and to turn Newton against Pratt and Hilliard. If the FBI was willing to jeopardize Pratt's life by this kind of action, is it not reasonable to suppose that the FBI might have been pleased to ask an informer to contend Pratt had committed a specific crime? Or to advise the victim of that crime that Pratt was located at a certain point in a "line up" of potential suspects? It was only four months later that Pratt was "identified" for a crime that had occurred two years earlier!

My primary concern is the question of fairness when an individual accused of a capital crime is tried and convicted of that offense without being informed that he was a target at the time of a strong covert "attack" program such as COINTELPRO, accompanied, as it was, by the use of informers and secret campaigns to discredit the defendant/target. In such a case, it seems to me there is a basic obligation on the government's part to bend over backwards to prove that the defendant was in no way prejudiced by the government's secret program.

An Airtel of October 28, 1969, from the FBI office in San Antonio states:

"All offices be alert for any information or situations pertaining to these active members of the BPP mentioned above which would lend itself to counter intelligence measures."

In June, 1970, the Los Angeles FBI office prepared a report on Pratt covering an investigating period from 5/6/69 - 6/21/70 which states:

"Constant consideration is given to the possibility of the utilization of counterintelligence measures with efforts being directed toward neutralizing PRATT as an effective BPP functionary."

I appreciate that the FBI is no longer engaged in deliberate attempts to blacken the reputations of political dissenters or potentially-violent activists. It is hard to escape the conclusion, however, that an organization which would attempt to blacken the reputation of a young pregnant woman, Jean Seberg, by publicizing the suggestion that she had become pregnant, not by her husband but by a member of the Black Panther Party (BPP), would take some pleasure in seeing a Black Panther leader convicted of a crime.

September 21, 1979

I think it is incumbent upon the government to explain why Mr. Pratt or his attorney were not informed, from the time Pratt was indicted on December 4, 1970 to the time of his conviction on July 28, 1972, that he was a target of COINTELPRO during that period and that the FBI was using both informers, some of whom were subsequently discredited (as in the case of Darthard Perry) as well as secret campaigns to discredit the defendant/target. If one FBI informer, Darthard Perry, was discredited as you persuasively point out, what about the informer who pointed the finger at Pratt over a year after the crime was committed for which he was indicted? The FBI's position on protecting informants by FOI Act action can only be justified if we can be assured informers weren't used improperly in the COINTELPRO program.

The more I have gotten into this case, the more disturbed I have become at the FBI's actions, both during COINTELPRO and in its FOI posture with respect to COINTELPRO's actions, particularly in the cases of COINTELPRO targets who suffered injury, i.e., being convicted of crimes, without being advised of COINTELPRO.

From your letter, I am forced to the conclusion that the FBI is only acting defensively on COINTELPRO; there is no sense of duty on the FBI's part to search out its records and membership and explain any possibility that Pratt could conceivably be innocent. You properly acknowledge, at page 6 of your letter, that

"If we had been able to retrieve evidence from our records that might exonerate Pratt, we would have made such evidence available not only as a matter of law, but also as a matter of professional obligation."

I would accept your statement but for the obvious discrepancy between your statement that Pratt was not a target of COINTELPRO and the FBI records which clearly show your statement to be untrue.

As I mentioned in my earlier letter, Pratt's defense attorney, now a highly-respected prosecutor in Los Angeles, believes Pratt to be innocent. It would have been incredibly easy for an FBI informer to both identify Pratt to the police as the tennis court murderer and to assist in his lineup identification. Unless the FBI is satisfied that this did not occur, ordinary rules of criminal justice and burden of proof would dictate that he be granted a new trial and that the jury be advised of COINTELPRO and its possible impact on the facts of the case.

The only way I can satisfy myself that there has not been a miscarriage of justice in this case is to personally examine your complete files, and to discuss the case squarely with the individuals involved. You may be assured that I will treat as privileged any information you contend is privileged under the FOIA from disclosure to persons other than the Congress.

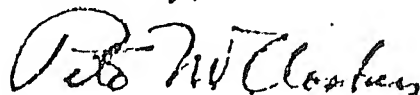
Director Webster

- 6 -

September 21, 1979 81

I will call your secretary on Tuesday, September 25, to get your preliminary response to these requests.

Sincerely,



Paul N. McCloskey, Jr.

Memorandum

TO DIRECTOR, FBI (100-448006)

DATE: 1/28/70

FROM SAC, LOS ANGELES (157-4054)(P)

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE
BPP

It is anticipated that this counterintelligence proposal could serve as one phase of a continuous attempt to deny unity of action in the effort of the LA BPP by calling to question the actions of the organization and the legitimacy of its leadership.

It is felt that the production and distribution of these leaflets could be such that the identity of the FBI as the source of the proposed organization could be effectively concealed.

In this respect, Bureau approval is requested in the preparation and dissemination of leaflets similar to the enclosed in the vicinities of 4115 South Central, 9818 Anzac, and 1810 East 103rd Street, locations of BPP activities in Los Angeles. It would be the intention of the Los Angeles Division to distribute leaflet No. 2 seven to ten days following the introduction of leaflet No. 1, as any follow up should not only make the effort a topical one, but stimulate increased reaction within the Los Angeles BPP.

Operation Number One is designed to challenge the legitimacy of the authority exercised by ELMER GERARD PRATT, BPP Deputy Minister of Defense for Southern California, and JOHN WILLIAM WASHINGTON, an active member of the BPP in Los Angeles.

TO: DIRECTOR, FBI (100-448006)
 FROM: SAC, LOS ANGELES (157-4054) (P)
 RE: COINTELPRO
 BLACK NATIONALIST HATE GROUPS
 RACIAL INTELLIGENCE - BPP

THIS IS UNCLASSIFIED
 DATE 10-15-88 BY SP-5
 01-15-88

(1970)

STPS
 BLS
 JLL

In addition, it is suggested the following handbill be anonymously sent to NEWTON and all existing BPP Offices in an effort to further provoke NEWTON's displayed instability:

WANTED

for

CRIMES AGAINST THE PEOPLE

HUEY P. NEWTON

NEWTON has been found guilty of avaricious exploitation of the masses, use of the revolution for personal wealth and recognition, selling out the people to white mother country liberals and wreckless vamping on Elmer Pratt and other revolutionary brothers.

DANGER

NEWTON is known to be emotionally unstable and on the brink of mental breakdown. Use caution when approaching.

ALL POWER TO THE PEOPLE

AND IMMEDIATELY RETURN GERONIMO

TO THE PEOPLE'S VANGUARD

As usual, if the above proposal is approved, appropriate measures will be used to insure the Bureau's identity is not revealed as the source. Results of the proposal will be immediately forwarded to the Bureau.

Part Four: Deception and Cover-Up

The illegality of FBI counterintelligence tactics and operations creates a great need for concealment and cover-up, an art they have perfected to a high degree. As with many false prosecutions, the Department of Justice has been a willing partner in many cover-ups and manipulations of the judicial system.

In 1969, Richard Nixon appointed Jerris Leonard as chief of the Civil Rights Division of the Justice Department, while Leonard also secretly headed up a broad based political intelligence apparatus within the government known variously as the Inter-divisional Intelligence Unit (IDIU) and the Special Disturbance Group (SDG). The Civil Rights Division then became a focal point of government cover-up operations. After the Hampton raid, Leonard was sent to Chicago by John Mitchell to "investigate" the police action. Leonard empaneled a Federal Grand Jury, which heard four months of testimony but returned no indictments of Hanrahan or his police, despite the overwhelming evidence that the raid had been a "search and destroy" mission against the BPP. Leonard, the FBI, and Hanrahan also kept the FBI's role in the raid secret from this Grand Jury. Leonard also headed up the first Grand Jury investigation into the Kent State murders, which similarly returned no indictments after Richard Nixon had instructed Leonard that no guardsmen should be charged.

The FBI and the Justice Department collaborated to suppress over 200 volumes of inculpatory documents in the Hampton civil rights trial; perjured themselves at Wounded Knee trials and the case against the Vietnam Veterans Against the War at Gainesville, Florida; destroyed evidence germane to the King assassination, and evidence of their illegal actions in pursuing the Weather Underground; covered up their role in the assassinations of King and Malcolm X; repeatedly lied to judges in the Hampton and Socialist Workers Party cases; and concealed damning counter-intelligence evidence from the Senate Select Committee on Intelligence.

In conjunction with such varied and extensive wrongdoing in legal proceedings, the FBI and Justice Department often worked secretly with judges to further their aims. Judge Irving Kaufman worked directly with the Justice Department and the FBI to assure that the Rosenbergs would be executed, and later joined with them to spread pro-government propaganda about the case; the current Chief Judge of the Northern District of Illinois, James Parsons, while a District Court Judge, made derogatory public statements concerning the Nation of Islam and the BPP at the instigation of counterintelligence agents; former Chief Judge William Campbell intervened in the Chicago 8 Conspiracy trial to assure J. Edgar Hoover that a defense subpoena for surveillance documents would be quashed, and secretly passed information from Judge Hoffman to the FBI concerning possible contempt citations against the defendants and their lawyers. Hoff-

man also met secretly with FBI agents and U.S. Attorney Thomas Foran to discuss these contempt citations. In the Hampton trial, Judge J. Sam Perry met secretly with both the FBI and police lawyers to discuss documents which were to be turned over to the Panther plaintiffs. Perry also wrote ex parte letters to then Attorney General Levi praising the conduct of FBI agents and their attorneys who had withheld important documents, and told the Assistant U.S. Attorney investigating charges of misconduct to let the court dispose of the matter at the end of the trial. An Appeals Court Judge, Wilbur Pell, who issued a stinging dissent protesting the ordering of a new trial in the Hampton case, turned out to be a former FBI agent himself, and a long-time member of The Society of Former Special Agents, which was fundraising to defend FBI agents charged with misconduct while the judge was hearing the case.



SAC, Newark (100-50166)

1/9/70

REC-15
Director, FBI (100-449698) - 895

1 - [REDACTED]

COINTELPRO - NEW LEFT

Reurlet 12/22/69.

Authority is granted to make the anonymous mailing as suggested in relet.

In preparing the letter, all necessary steps are to be taken to protect the identity of the Bureau as the source of the letter. Advise of any results noted.

RHH:jcs
(4)

New York should insure use of unwatermarked bond stationery in connection with the above and utilization of mailing procedures which will not allow the Bureau's identification as the origin of this correspondence.

You must insure that Racial Matters Supervisor, Special Agent Coordinator for this program and Agents assigned to Racial Matters investigations are aware of continued objectives of this program and that meaningful proposals are submitted to the Bureau on a timely basis. Insure that such Supervisor and Coordinator are aggressively and enthusiastically ramrodding this program and that Agents are exercising ingenuity and initiative to accomplish this program's objectives.

You are reminded that counterintelligence operations must be approved by the Bureau. Proposals submitted must be designed to insure there is no possibility of embarrassment to the Bureau.

1 - Mr. C.D. Brennan

FAC, Los Angeles (100-71737)

8/9/68

Director, FBI (100-449698) - 311

1 - Mr. Jackson

1 - Mr. R.H. Horner

EX-105 REG-122 100-449698-267

OSINTELPRO - NEW LEFT

Reurlet 7/31/68.

It is felt that the mailing of a letter under the caption "Black Nationalists for Freedom," a fictitious organization, as recommended in relet has merit and should be pursued. Prior to taking this action, you should alter your letter in the following respects:

Since it is not likely that a militant black nationalist would have information about [redacted] attendance at meetings of the CP held in Los Angeles, you should delete this particular reference from your letter.

Your characterization of SDS too closely follows the published Bureau description of that organization. For this reason, you should paraphrase the last line of paragraph three so that it will not appear to have been taken from a Bureau document. In this regard, a statement such as "If you don't know it man, the head whitey of the Communist Party in the United States told newsmen in San Francisco that SDS was one of the Party's sould brothers," should be substituted.

After making the above changes, you are authorized to make the mailing as suggested.

You should take all possible steps to assure that the Bureau is not identified as the originator of the letter. In this regard, the letter should be prepared on locally obtained stationery that cannot be traced to the Bureau or to the Government.

Advise promptly of any results obtained.

RHH:jes
(6)

NOTE:

Los Angeles, and is a

is very active in the SDS, supports SDS in Vietnam de on- strations, has been active and was

NOTE CONTINUED PAGE TWO

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room

61 AUG 12 1968

TELETYPE UNIT

FBI Veiled Illegal Break-Ins

W.P. 4/25/75

By George Lardner Jr.

With top-level approval, the FBI carried out hundreds of illegal break-ins under an elaborate "Do Not File" system that kept all trace of the burglaries out of regular bureau files.

Members of the Senate intelligence committee, which began delving into the so-called "black bag jobs" yesterday, said they were shocked by the devious manner in which the burglaries of "domestic subversives" were authorized.

"It's really the perfect cover-up," declared Sen. Richard S. Schweiker (R-Pa.).

"Pure frightening," Sen. Howard H. Baker Jr. (R-Tenn.) agreed later.

The statistics on the burglaries, admittedly incomplete, were not supplied to the committee until the night before yesterday's hearing, staff members said.

Chairman Frank Church (D-Idaho) said the report showed 238 break-ins between 1942 and April of 1968 against 14 so-called "domestic subversive targets."

In addition, at least three other "domestic subversive targets" were subjected to numerous entries from October, 1952, to June, 1966. Of these, the FBI said, "since there exists no precise record of entries, we are unable to retrieve an accurate accounting of their number."

The Washington Post reported in July that the FBI until 1966 conducted dozens and occasionally more than 100 burglaries of all kinds each year, against targets ranging from domestic extremist groups and the Communist Party to foreign em-

bassies and ordinary criminal cases.

The Church committee did not make public any information concerning FBI break-ins at foreign embassies and consulates. For its part, the FBI apparently did not bother to submit a count of the break-ins involved in criminal cases, on grounds that all these were done simply for the purpose of installing "authorized" eavesdropping devices.

Elaborating on the procedures used to approve "black bag jobs," the Sullivan memo said the system then in effect required detailed requests from FBI bureau chiefs for eventual submission in memorandum form to either Hoover or his longtime aide, the late Clyde Tolson, for approval.

"Subsequently, this memorandum is filed in the assistant director's office under a 'Do Not File' procedure," Sullivan explained. Meanwhile, "in the field, the special agent in charge prepares an informal memorandum showing that he obtained bureau authority and this memorandum is filed in his safe until the next inspection by bureau inspectors, at which time it is destroyed."

Testifying at yesterday's hearing, Sullivan's successor, former Assistant FBI Director Charles Brennan, said the system meant that the headquarters memos reflecting Hoover's or Tolson's approval would be tucked away in the safe of the appropriate assistant director. There, he said under questioning by Schweiker, it would be kept out of the regular bureau files.

Schweiker pointed out that regular FBI files carry serial numbers. As a result, those records cannot be destroyed without leaving a missing number, a telltale sign that something has disappeared.

The system also guaranteed peace of mind for agents in the field offices, knowing that authorizing memos could be shown to bureau inspectors and at the same time knowing that those memos were going to be destroyed, Schweiker marveled.

"It looks to me as though the bureau has perfected a better technique . . . a lot more sophisticated and refined than the 'plausible denial' of the CIA," Schweiker said. "I think we've just touched the tip of the iceberg."

The three-page Sullivan memo ended with an edict in Hoover's handwriting decreeing that "no more such techniques must be used."

Under questioning by Schwarz, Brennan said the FBI director had never shown any legal qualms about such illicit operations in earlier years. Instead, he suggested that Hoover began to grow uneasy after reaching mandatory retirement age (70) in 1965 about any operations that might be embarrassing to the bureau and thus force his ouster.

Although President Johnson waived Hoover's retirement, Brennan said that from 1963 on the FBI director was holding his job largely on an "annual renewal" basis. "That put him into a somewhat vulnerable position," Brennan told the committee.

Memorandum

: Mr. C. D. DeLoach

DATE: July 19, 1966

: W. C. Sullivan

DO NOT FILE

SUBJECT: "BLACK BAG" JOBS

1 Mr. DeLoach
1 Mr. Sullivan

The following is set forth in regard to your request concerning the authority we have for "black bag" jobs and for the background of our policy and procedures in such matters.

We do not obtain authorization for "black bag" jobs from outside the Bureau. Such a technique involves trespass and is clearly illegal; therefore, it would be impossible to obtain any legal sanction for it. Despite this, "black bag" jobs have been used because they represent an invaluable technique in combating subversive activities of a clandestine nature aimed directly at undermining and destroying our nation.

The present procedure followed in the use of this technique calls for the Special Agent in Charge of a field office to make his request for the use of the technique to the appropriate Assistant Director. The Special Agent in Charge must completely justify the need for the use of the technique and at the same time assure that it can be safely used without any danger or embarrassment to the Bureau. The facts are incorporated in a memorandum which, in accordance with the Director's instructions, is sent to Mr. Tolson or to the Director for approval. Subsequently this memorandum is filed in the Assistant Director's office under a "Do Not File" procedure.

In the field the Special Agent in Charge prepares an informal memorandum showing that he obtained Bureau authority and this memorandum is filed in his safe until the next inspection by Bureau Inspectors, at which time it is destroyed.

FJB/pcn

(2)

CONTINUED

-- OVER

Memorandum to Mr. C. D. DeLoach
Re: "BLACK BAG" JOBS

[REDACTED]

We have used this technique on highly selective basis, but with wide-range effectiveness, in our operations. We have several cases in the espionage field, [REDACTED]

[REDACTED]

Also, through the use of this technique we have on numerous occasions been able to obtain material held highly secret and closely guarded by subversive groups and organizations which consisted of membership lists and mailing lists of these organizations.

This applies even to our investigation of the [REDACTED] You may recall that recently through a "black bag" job we obtained the records in the possession of three high-ranking officials of a [REDACTED] organization in [REDACTED] These records gave us the complete membership and financial information concerning the [REDACTED] operation which we have been using most effectively to disrupt the organization and, in fact, to bring about its near disintegration.

=====

In short, it is a very reliable weapon which we have used to combat the highly clandestine efforts of subversive elements seeking to undermine our Nation.

RECOMMENDATION:

For your information.

*No more such techniques
must be used.*

1

Hoover's secretary destroyed his personal files

CHICAGO SUN-TIMES, Tues., Dec. 2, 1975

WASHINGTON (AP) — J. Edgar Hoover's long-time secretary told Congress Monday that when the FBI director died in 1972, she systematically destroyed his personal files "as Mr. Hoover indicated he wanted."

Helen W. Gandy told the House government information subcommittee that she and another secretary went through all the files in Hoover's offices, destroying all marked "personal."

"There were 30 or 32 file drawers," she testified. "I tore them up and put them in cartons. They were then taken to the Washington FBI field office to be either incinerated or shredded."

Mrs. Gandy denied that the files she destroyed contained any official FBI business or information on the personal lives of public officials.

But former FBI Asst. Director William C. Sullivan said Hoover's personal files were filled with political and personal information on public figures.

Miss Gandy also said that she did not consider her actions in violation of an order by then acting-Atty. Gen. Richard G. Kleindienst that Hoover's offices be sealed.

Asked whether he thought Miss Gandy's action violated his order, Kleindienst said that "I'll just have to leave that up

to you to draw your own conclusions."

Miss Gandy testified that official files were retained by the FBI.

"Mr. Hoover would not have allowed them (his personal files) to be used if he had been living," she testified. "I had my instructions."

Miss Gandy repeatedly said she found nothing in the personal files that did not relate strictly to Hoover's personal matters.

She said Acting FBI Director L. Patrick Gray III leafed through the personal files before telling her it was "perfectly all right" to destroy

them. Gray succeeded Hoover.

Rep. Toby Moffett (D-Conn.) told Miss Gandy that her testimony contradicted with what Gray had told the subcommittee staff. Miss Gandy offered no explanation.

Sullivan, who is in poor health, gave his statement in a taped interview with a committee staff member. On Hoover's files on public figures, Sullivan said: "I think we all know that it was there. I've seen on a sufficient number of occasions that the door was open on those special little filing cabinets on the wall to know that they were really filled with material . . . they were just loaded."

Key evidence destroyed by FBI

Chic. Sun-Times, 1978

By Ronald J. Ostrow
Los Angeles Times Special

WASHINGTON—Potentially crucial evidence in the FBI break-in case was destroyed by the FBI after it had been turned over to the agency by Justice Department prosecutors, court records disclosed Tuesday.

The lawyer for former Assistant Director Edward S. Miller, one of three ex-FBI officials indicted in the case, said that up to 40 per cent of the material originally seized by investigators at FBI offices in Washington and New York had been destroyed.

Miller's attorney, Thomas A. Kennelly, said he had been "informally advised" of the evidence destruction by FBI agents, but had been given no explanation as yet for the action.

HE CITED the destruction of the evidence in arguing that the case against Miller should be dismissed.

Other sources familiar with the case said the destroyed records were "ticklers" — in FBI parlance, copies of documents — that bore handwritten notations that could have been read to indicate that break-ins had been committed. The existence of such evidence would help the defense in its efforts to show that break-ins were a relatively commonplace tactic well-known throughout the Federal Bureau of Investigation.

IT COULD NOT be learned why the Justice Department prosecutors returned such potential evidence to the FBI before it was used in court.

The material was destroyed under FBI rules that require the destruction of "ticklers" after periods ranging from 30 days to six months, according to the knowledgeable sources.

An FBI spokesman would not comment on the disclosure and Terrence B. Adamson, the Justice Department's director of public information, said:

"We'll have to answer that in court."

Miller, former acting FBI Director L. Patrick Gray III and W. Mark Felt, No. 2 man under Gray, were indicted April 10 on charges of ordering the FBI break-ins to try to track down fugitive members of the Weatherman terrorist organization. Kennelly said he could not specify the nature of the destroyed records other than to note that they "related directly to the matters alleged" by the indictment.

"I CAN ONLY assume that if the [Justice] department thought enough of it to send agents to seize it, they must have thought it was important," Kennelly said. Kennelly described in his court motion another document that he said he had been "informally advised" had disappeared.

This was a three-page White House memorandum on a May 26, 1971, meeting between then-President Richard M. Nixon, former Atty. Gen.

John N. Mitchell, former FBI Director J. Edgar Hoover and then-presidential aides John D. Ehrlichman and Egil Krogh.

THE MEETING took place the same day as a phone call between Nixon and Hoover in which the former President allegedly directed Hoover to "do something" about terrorists who claimed responsibility for murdering several New York policemen and added that he wanted "no punches pulled."

Such evidence could aid the defense in establishing that the break-ins had been approved by higher authorities.

Miller, in the court filing Tuesday, also said he had a witness who will testify that Miller on two occasions between May and July, 1973, discussed "surreptitious entries" with then-acting FBI Director William D. Ruckelshaus, who later became No. 2 man in the Justice Department.

FBI lied on Socialist data, judge says

NEW YORK (AP) — A federal judge, Wednesday said that the FBI lied when it said it received information on the Socialist Workers Party without resorting to burglaries.

U.S. District Court Judge

Thomas P. Griesa said the government was guilty of intentionally omitting information to protect itself. The party is suing the government for \$37 million and is seeking government files before the trial.

The dispute involved Timothy Redfearn, a Federal Bureau of Investigation informant in Denver. The government told the party last month that Redfearn, then identified only by a code number, got leaflets from a "college campus," phone lists, other lists and financial data "as

they were made available" to party members.

But Friday, FBI files from 1973 were turned over by court order to party lawyers. The files showed that materials were "stolen" and "removed" by Redfearn from an office, a bookstore and the home of three women affiliated with party.

Griesa said the FBI's original statement "was false, and the response failed to disclose the thing that is crucial . . . namely, that documents had been obtained by means of en-

tries into premises, something which the plaintiff would characterize as 'burglaries' — and they want to try that issue."

"Their haste was no excuse," snapped Griesa. "I can draw no other conclusion than that the person making that answer intentionally omitted materials that were unfavorable to the government when he tried to summarize that file."

"Let's face it. Let's not waste time talking about haste. That was absolutely inexcusable."

Was King Slaying Data Destroyed?

Associated Press

The House Assassinations Committee is investigating an unconfirmed report that documents relating to the murder of Dr. Martin Luther King have been destroyed, according to chief counsel Richard Sprague.

Speaking with reporters after a closed meeting of the committee yesterday, Sprague said the information about the missing documents was uncovered by staff investigators in Memphis, where King was killed in 1968.

Sprague cautioned that the information was "completely unverified." He said he had not yet determined what the documents had, in fact, been destroyed or that they related to the King murder.

Sprague's comment appeared considerably more cautious than his earlier statement about the missing documents.

After a morning session, Sprague

told reporters that the documents were "relevant to our investigation" and that "I have been advised that the destruction has been since it was announced (in September) that this committee would be investigating" the King and Kennedy slayings.

Sprague would not say which law enforcement agency had the documents allegedly to have been destroyed. However, committee member Rep. Henry Gonzalez, D-Tex., told a reporter he believed the documents had been in the possession of authorities in Tennessee, where King was killed in 1968.

THE MEMPHIS Police Department has denied that any documents relating to the King case have been destroyed. Lt. William Schultz said that all of the King files were turned over to the state attorney general in Memphis.

There have been published allega-

tions that some of these had been burned in September when the department destroyed records of its intelligence division. These records were burned as the department faced lawsuits filed by individuals on whom the department had allegedly conducted surveillance during the 1960s.

At the unexpected public session of the House Committee on Assassinations, Gonzalez asked staff attorney Robert Ozer if he had any reason to believe that documents relating to the King case had been destroyed "since the constitution of this committee."

"Yes, sir," Ozer replied. "I believe there are some documents that have been destroyed."

The hearing, originally expected to be held in secret, was opened to the public after a motion to go into executive session failed on a 6-6 vote. Rep. Christopher Dodd, D-Conn., led the argument to open the hearing.

Files on Panthers withheld

CHICAGO SUN-TIMES, March 25, 1976

By Dennis Fisher

The Justice Department has withheld massive amounts of evidence from lawyers for the survivors of a police raid on a Chicago Black Panther apartment in which two Panthers were killed, testimony in U.S. District Court showed Wednesday.

The surprising disclosure could mean the survivors will win the part of their damage suit that pertains to federal defendants, attorneys in the case said.

The documentary evidence — files on the Black Panther Party, informants and plaintiffs in the complicated suit — takes up more than 30 feet of file space.

After two days of testimony from Federal Bureau of Investigation agent William Deaton and in several conferences in the chambers of U.S. District Court Judge Joseph Sam Perry, attorney for the plaintiffs James D. Montgomery said he will consider seeking sanctions against the federal defendants and their lawyers.

Montgomery described the turn of events as highly prejudicial to his clients in the trial, now in its third month.

The sanctions could include contempt-of-court citations, fines, the costs of Montgomery's preparation for the case over the last six years and, most significant, a default judgment against the federal defendants.

Judge Perry had ordered the complete files turned over as the trial began last Jan. 5. He said repeatedly during hearings Tuesday and Wednesday

on the withheld documents that there was no excuse for such flouting of the rules.

By the close of court Wednesday, defense lawyers in the case had agreed to make copies of all of the withheld materials and to begin Thursday to go through the lengthy process of reviewing each document to determine its relevancy. That could take days, lawyers said.

Panthers urge foes be held in contempt

Chicago Daily News 3/30/76

By Rob Warden

Black Panther lawyers argued Tuesday that FBI and Justice Department officials should be held in contempt of federal court for trying to

conceal a 30-foot stack of subpoenaed documents.

The documents are potential evidence in a Panther lawsuit asking damages of \$47.7 million for the 1969 West Side raid

in which Fred Hampton and Mark Clark were killed.

U.S. District Court Judge Joseph Sam Perry ordered all FBI files on the local Panthers produced weeks ago, and Jus-

tice Department lawyers assured him repeatedly that they had complied fully with the order.

But it was discovered accidentally last week that only a small percentage of the documents had been produced. Of about 1,600 documents in Hampton's file, for instance, the FBI and Justice Department turned over only 57.

Because the files contain information that might identify FBI informants, the judge permitted the FBI to remove that information before producing the files.

But in this he relied solely on the defendants to decide what they should produce to be used in the case against them.

The deletion process was supposed to be supervised by FBI Agent Robert T. Piper, a defendant in the case, and his Justice Department lawyers, Edward S. Christenbury and Arnold Kanter.

CHICAGO Sun-Times Editorials

Monday, Aug. 25, 1975

Panther case revisited

During the Nixon years, the same government official publicly in charge of protecting civil rights was privately named the co-ordinator of all government snooping on political dissidents.

Indications of that apparent conflict of interest are buried in Chapter 10 of the Rockefeller Commission's report on the Central Intelligence Agency's domestic activities. This was the setup:

In 1969, Jerris Leonard was publicly named assistant attorney general in charge of all civil rights under Atty. Gen. John N. Mitchell. In that job Leonard was concerned mostly with the protection of rights for minority group members.

In 1969, Mitchell secretly named Leonard head of two justice Department units charged with supervision and co-ordination of the clandestine gathering of information on groups that supposedly posed a threat to peace in the nation's streets — the anti-war protesters of the day and militant minority groups, for example.

In that job, Leonard was to work with the CIA, the FBI, military intelligence groups and other government units.

So publicly we had Leonard-the-protector-of-the-Constitution and, privately, Leonard-the-co-ordinator-of-spying-information.

The problem in this is best highlighted by Leonard's activities in the Chicago Black Panther case. After the 1969 raid, Leonard was named to head an investigation of possible civil rights violations by Chicago police which was, at the time, the only known agency involved in the raid. No indictments resulted.

We now know that the FBI had infiltrated the Panthers and recently Thomas J. Dolan of the Sun-Times staff reported that at least one report was routed to Leonard's intelligence-co-ordinating Interdepartmental Information Unit. Leonard denies he ever saw that report.

He also denies that any conflict of interest existed. We're not so sure. Leonard will be giving a civil-suit deposition here next month and the conflict should be explored. Further, Chapter 10 of the Rockefeller Commission report should be reread by the congressional committees investigating the CIA.

C DN 4/30/76 7

THIS WEEK IT WAS revealed in court that one of the documents initially withheld described the FBI's role in planning the Dec. 4, 1969, raid, which was carried out by Chicago police under the control of then State's Atty. Edward V. Hanrahan.

The document — an FBI memo initialed by Piper and dated Dec. 8, 1969 — stated that the raid was based on information supplied by informant O'Neal.

The memo, addressed to FBI Director J. Edgar Hoover, said the Chicago office of the FBI had supplied local authorities with a detailed floor plan of the apartment to be raided and an inventory of weapons kept there.

"The raid was based on information furnished by the informant," the memo stated.

This is important in view of the fact that all three FBI agents denied flatly on the witness stand that they had anything to do with the raid.

Judge still trusts the FBI

By Rob Warden

The judge in a landmark Black Panther civil rights damage suit has announced that his confidence in the FBI hasn't been shaken by charges

that it covered up its role in the death of Fred Hampton.

U.S. District Court Judge Joseph Sam Perry told lawyers in the case Wednesday that his "confidence in the FBI is such" that he was entrusting

to its care 94 volumes of irreplaceable - documents that conceivably could prove or disprove that there was a cover-up.

WHEN Panther lawyer G. Flint Taylor Jr. asked Perry

at least to direct the FBI not to destroy the documents, the judge replied angrily:

"I don't need to direct them. I don't want to presume that they would destroy them."

Judge's actions cited in Panther lawyer's defense

By Dennis D. Fisher

Lawyers for survivors of the 1969 raid on the Black Panthers here filed a lengthy list Thursday of the trial judge's actions, which, they said, were so prejudicial that a contempt citation against one of the attorneys should be set aside.

G. Flint Taylor Jr. and Jeffrey Dennis Cunningham attached to the list submitted to the U.S. Court of Appeals a sworn statement by a former assistant U.S. attorney that quoted the trial judge as saying the FBI never would be found guilty of conspiring to violate the civil rights of the Black Panthers.

Sheldon Waxman, the former assistant U.S. attorney, who was the government's lawyer in the case at one time, made the affidavit Dec. 22, 1975, two weeks before the trial began.

Waxman said under oath that he had two conversations with the U.S. District Court senior judge, Joseph Sam Perry, one in November, 1975, and one a week later on Dec. 1.

In the first conversation, Waxman said, he asked Perry at a political dinner whether the judge had seen newspaper articles about revelations from the Senate intelligence committee concerning an FBI counterintelligence program that focused on the Panthers.

The former prosecutor said the judge told him he had not

seen the articles and that the committee's report wasn't relevant to the Panther case before him.

In the second conversation, in the Dirksen Federal Building, Perry told Waxman, according to the latter, "They (the Panther lawyers) will never be able to prove that the FBI killed those fellas." The reference to killing was to the police slaying of Panther leaders Fred Hampton and Mark

Clark on Dec. 4, 1969, in an apartment at 2337 W. Monroe.

Perry cited Panther attorney Taylor for contempt last Nov. 11 after the lawyer knocked over a glass water pitcher, which broke on the courtroom floor, while the jury was absent. There is a dispute over whether the incident was intentional. Perry jailed Taylor for five hours.

The FBI's involvement in the deaths of Hampton and

Clark is central to the conspiracy trial over which Perry has presided for the last year.

Survivors of the raid, assertedly conducted in a search for illegal weapons, charged that FBI agents and an FBI informant violated their civil rights intentionally in helping to plan and carry out the raid. They seek \$47.7 million in damages.

Minister tells talk with Panther judge

By Dennis D. Fisher

Lawyers for the Black Panther plaintiffs renewed charges that the trial judge is prejudiced on filed an affidavit from a minister Wednesday to support their request that the judge remove himself.

G. Flint Taylor Jr., a plaintiffs' lawyer, asked U.S. District Court Senior Judge Joseph Sam Perry to declare a mistrial in the case.

Taylor charged that Perry, 80, "has prejudged the issues

and committed countless prejudicial errors in his efforts to make the evidence and verdicts conform with his pre-set opinions."

The lawyer attached a two-page affidavit by the Rev. Thomas W. Strieter, pastor of Grace Lutheran Church, Glen Ellyn, a former Maywood village trustee, to support the bias charges and request for a mistrial.

Mr. Strieter said that he was a chaplain for an American Legion parade last May 31 in Glen Ellyn. During the Memorial Day festivities, the minister rode in a car with Judge Perry and "engaged in a lengthy conversation," he said.

During the talk, Mr. Strieter recalled, "Judge Perry volunteered in substance the following: If only the lawyers would stick to what happened on Dec.

4, 1969, they might make a case. But this conspiracy involving the FBI and Hanrahan is impossible. This cannot be true. There is no earthly way to establish that."

The conspiracy reference involve charges in the lawsuit that Federal Bureau of Investigation agents teamed up with former State's Atty. Edward V. Hanrahan to violate intentionally the civil rights of the Panthers and to kill Hampton and Clark.

Judge Perry dismissed Hanrahan and the FBI as defendants from the case last month without explaining his decision to the jury.

Mr. Strieter said that when he read Hanrahan was dismissed from the case, he was reminded of his conversation with Judge Perry last Memorial Day.

94 Perry ex parte messages in Panther case revealed

CHICAGO LAWYER

December, 1979

By Chip Berlet

Judge Joseph Sam Perry, while presiding over the Black Panther civil case, wrote a series of ex parte letters to government officials exonerating the FBI defendants and their attorneys from charges that they wrongfully withheld key documents—charges made by the plaintiffs' attorneys in sanction and contempt motions which were pending before the judge when he wrote the letters.

Judge Perry also suggested in one letter that a much-publicized Justice Department investigation into the charges of wrongdoing be "left to the court" to deal with after the end of the trial.

According to the Panther attorneys, the letters were part of an attempt to "whitewash" the defendants' actions in withholding material; and further, that they show Judge Perry "advocated the Defendants' cause" while hearing the case.

In a motion filed in mid-November, the Panther attorneys ask the U.S. Court of Appeals for the Seventh Circuit to immediately issue its mandate ordering a hearing "to determine what sanctions to impose against the FBI defendants and their lawyers." The Seventh Circuit previously had issued the order along with a call for a new trial, but the defendants have requested a stay on all matters while they ask the U.S. Supreme Court to grant a review.

The Panther attorneys, from the Peoples Law Office, also have asked that disciplinary action be taken against Perry for his ex parte letter writing in the middle of the controversial case. The letters, marked "confidential" and written on Perry's court stationery, are important not only because they show improper actions by the judge, charge the Panther attorneys, but also because they are part of a chain of events whereby the Justice Department was able to postpone its investigation into misconduct by the FBI defendants and their attorneys, knowing in advance that Judge Perry would eventually exonerate the men. The Justice Department apparently closed the investigation, citing the Judge's ruling at the end of the trial.

Because of this investigative shell game, there has never been either a hearing or probe into the charges that the FBI agents and their attorneys conspired to withhold crucial evidence. The evidence links the FBI Counterintelligence Program (COINTELPRO) to the assault on Chicago Panther headquarters.

After reviewing the FBI files and determining they were relevant to the case, the Panther attorneys alleged bad faith and moved for a "mistrial, default judgment, contempt, and other sanctions" against the defendants and their attor-

neys. Judge Perry denied the mistrial and said he would hear the sanctions motions after the case was concluded.

Meanwhile, two black state legislators, Sen. Richard Newhouse and Rep. Harold Washington, wrote a letter to then-U.S. Attorney General Edward H. Levi charging the three Justice Department attorneys with a "massive, illegal cover-up" of the FBI's role in Hampton and Clark's death. The letter went on to call for the firing of the three attorneys, saying they had utilized their offices to "violate the law and the public trust."

In response to the letter by Newhouse and Washington, the Justice Department ordered an internal investigation led by assistant U.S. Attorney Charles Kocoras. Kocoras sent a copy of the legislators' letter to Perry on April 21, 1976, and invited "any comments you might have . . . with respect to the propriety or impropriety of the conduct of the government lawyers in this case . . . your observations would be of great significance in determining the validity or invalidity of the charge."

Two days later, without informing the plaintiffs, Perry responded to Kocoras and dismissed the charges out of hand. "The fact is that the charges about the conduct of [the attorneys] were and are wholly unwarranted," wrote Perry. Perry also said the withholding of the FBI documents "could not have been intentional" and added, "I am positive that it was an unavoidable error and that all of the attorneys for the agents of the FBI who participated in the case acted in good faith." In the letter, Perry contends that there was only one document in the 30,000 pages of FBI documents belatedly produced that was relevant to the case.

This view is not shared by plaintiffs' attorneys, nor the Seventh Circuit, which reversed Perry's order exonerating those involved and ordered a hearing on whether sanctions should be imposed against the FBI Defendants and counsel representing them at the first trial for disobeying court orders to produce documentary materials. Judge Luther Swygert went further and stated: "It is clear that the federal defendants . . . and their counsel rather than promptly furnishing relevant documents as requested, deliberately impeded discovery and actively obstructed the judicial process, thus denying plaintiffs the fair trial to which they were entitled. Regrettably the trial judge permitted these tactics."

Perry not only exonerated the defense attorneys; he praised them. The same day Perry wrote to Kocoras, he sent a copy of the Kocoras letter to Attorney General Levi with a cover letter marked confidential. The letter concluded by saying: "All of the Attorneys and present

and former Agents of the FBI mentioned in the [charges] should be complimented for their high standard of conduct in the case." Perry also noted he did not "know Senator Newhouse personally but I do know Representative Washington, who pleaded guilty [in a civil case] before me about two years ago."

The controversy over the FBI's conduct in withholding evidence continued to grow in early May, 1976, with the NAACP's Roy Wilkins calling the FBI's actions "outrageous" and "intolerable" and seeking an independent probe into the alleged federal coverup.

An outside investigation was not launched, but Kocoras, who had ties with several of the defendants, was removed from the investigation. Kocoras was replaced by assistant U.S. Attorney Stephen Kadison. Kadison did seek to interview the FBI agents involved, but apparently was told by the Criminal Division of the Justice Department that the agents could not be interviewed until after the trial ended.

Kadison then wrote the Executive Office of the U.S. Attorney saying he had been forbidden to interview the agents, and asked that he be "permitted to continue with the inquiry rather than be required to wait until the conclusion of the trial." There is no answer to this letter in the correspondence concerning the matter obtained by the plaintiffs' attorneys under the Freedom of Information Act.

Perry's letters were initially refused under the FOIA request, and were recently produced under appeal. Among them is the one addressed to Kocoras which suggests the investigation wait until the trial is over.

According to the Panther attorneys, the scenario shapes up like this: The FBI agents and their attorneys were caught withholding key evidence, and contempt and other sanctions were sought in court. The Justice Department launched a widely publicized investigation, but the presiding judge informed the investigator that the individuals charged were not guilty of wrongdoing and to wait for the end of the trial when the charges would be "disposed of." A new investigator pursued the investigation, but the Justice Department, knowing the judge would exonerate the men at the end of the trial, stalled the investigation. At the end of the trial, the judge dismissed the charges, and on the basis of this dismissal, the Justice Department dropped the investigation. The net result is that no investigation has ever taken place, and given the view of the Seventh Circuit that wrongdoing may have occurred and that a sanctions hearing should be held, the Panther lawyers are seeking an early scheduling of that hearing.

UNITED STATES DISTRICT COURT
219 SOUTH DEARBORN STREET
CHICAGO ILLINOIS 60604

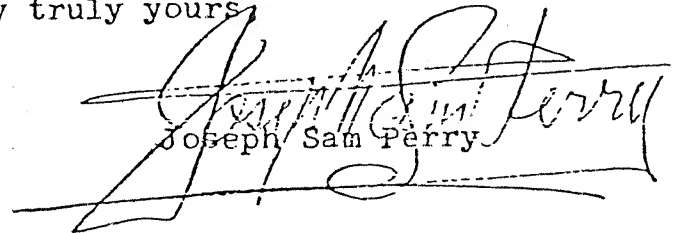
95

TEL: 431-9400
Ext. 336

Mr. Charles P. Kocoras
First Assistant U.S. Attorney
April 23, 1976
Page 4 -

Attorneys Edward Christenbury, Arnold Kanter and Alexandra Kwoka have represented all of the present and former FBI agents and the former informant for the FBI in the highest tradition of the Bar. They are to be commended for their conduct in a most difficult case.

Very truly yours,


Joseph Sam Perry

JSP:rz

cc: Honorable Edward H. Levi
Attorney General of the United States
Washington, D.C.

CONFIDENTIAL

Honorable Edward H. Levi
Attorney General of the United States
Department of Justice
Washington, D.C. 20530

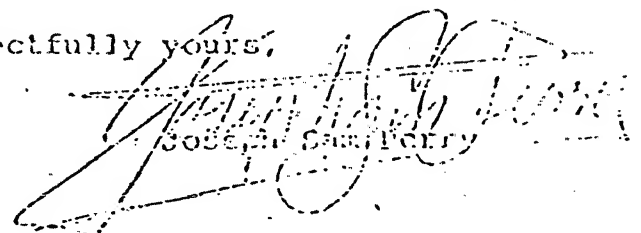
April 23, 1976

Dear Attorney General Levi:

I am sending you a copy of a letter that I have just written to the Office of the District Attorney in Chicago

All of the Attorneys and present and former Agents of the FBI mentioned in the caption should be complimented for their high standard of conduct in the case of Hampton, et al. vs. Hanrahan, et al., No. 70 C 1384.

Respectfully yours,


Joseph Sam Perry

JSP:rz

UNITED STATES DISTRICT COURT
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

CHAMBERS OF
SENIOR JUDGE JOSEPH SAM PERRY

TEL: 431-9400
EXT. 336

May 6, 1976

CONFIDENTIAL

Mr. Charles P. Kocoras
First Assistant United States Attorney
for the Northern District of Illinois
Room 1500, United States Court House
Chicago, Illinois 60604

Re: Hampton, et al. vs. Hanrahan, et al., No. 70 C 1384 and
Assistant United States Attorney Arnold Kanter,
Assistant United States Attorney Alexandra Kwoka, and
Edward Christenbury, Special Attorney from the
Department of Justice in Washington; and
Special Agents of the Federal Bureau of Investigation:
Richard G. Held, Roy Martin Mitchell, Robert Piper
and former Special Agent Marlin Johnson.

Dear Mr. Kocoras:-

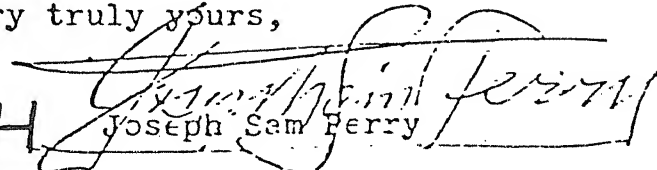
A controversy arose in the captioned case when the plaintiffs filed one motion asking the court to hold the three first-named persons in contempt and another motion for sanctions against all of the above named individuals. Those motions were taken under advisement. When this case is concluded and a verdict is returned, I will dispose of them. The defendants have filed a motion to hold certain of the plaintiffs' attorneys in contempt. That motion will likewise be taken under advisement.

There are other collateral matters that can best be dealt with after the verdict. This case has been on trial for four months. I cannot take time out to hear collateral motions which can better be disposed of after verdict.

There is still another potent reason for so doing. That is the question of prejudice of the jury which is not segregated, the case being civil and not criminal. Already there has been publicity that may be harmful.

It would seem that this whole matter might very well be left to the court where it is pending.

Very truly yours,


Joseph Sam Perry

JSP:rz

ATTACHMENT H

Panthers demand Pell recusal in Hampton

By Chip Berlet

Attorneys in the Black Panther civil suit have filed a motion in the Seventh Circuit Court of Appeals asking that Judge Wilbur F. Pell be recused from "participation in the Court's deliberations and actions" in the case because the judge is a former FBI agent who until late 1977 was a member of the Society of Former Special Agents of the FBI.

The attorneys, all affiliated with the People's Law Office, say that Pell's relationship to the FBI and the society "is not contained in his official biography" issued to them by the court clerk's office, and that they were not aware of Pell's FBI ties until after the latest round of legal motions in the appellate court. Pell's connections have been made public, however, for example in *Who's Who in America*.

Given these relationships, the attorneys say, Pell should not have heard the recent appeal in which two appellate judges ordered a new trial in the Hampton case, while Pell dissented and issued a stinging attack on the plaintiffs and their attorneys.

The defendants in the Hampton case have already cited Pell's dissent in an attempt to have the Seventh Circuit rehear their appeal *en banc*, but this attempt failed in a tight 3-3 vote with two judges recusing themselves. The defendants have indicated that they intend to cite the dissent, and the "close" vote to rehear, in petitions for certiorari they apparently intend to file with the Supreme Court.

At one point in his dissent, Pell characterized the Hampton case as a "wide-ranging witch-hunting type of assault on public servants across the board," and complains, "Unfortunately many who decried the excesses of McCarthyism do not seem equally concerned by the development of the extremity of present day witch-hunting directed toward law enforcement officials."

Comments like these, say the Hampton attorneys, are similar to those made by defenders of FBI practices, including the Society of Former Special Agents of the FBI, which opposes prosecution of FBI agents and has been raised funds for the defense of FBI agents indicted on charges of illegal activity during operations against radical groups. The charge that law enforcement agencies acted illegally while seeking to "neutralize" the Black Panther Party is central to the plaintiffs' case.

Judge Pell was an FBI special agent from 1942 to 1945, according to the 1978-1979 edition of *Who's Who in America*, which also lists him as a member of the Society of Former Agents.

Pell has told reporters that he left the society in late 1977. Legal matters in the Hampton case were reaching the appeals court as early as May, 1975, when Pell voted on a Hampton plaintiff's petition for writ of mandamus. Pell was also a member of the society when he heard several other motions in the Hampton case, and the Hampton attorneys say his resignation came too late to avoid the appearance of a conflict of interest.

The Hampton case arose from a pre-dawn police raid on the Chicago Black Panther headquarters the morning of December 4, 1969, which left Panther leaders Fred Hampton and Mark Clark dead and several other Panther members wounded. Revelations about the FBI's Counterintelligence program (COINTELPRO), which emphasized "neutralizing" the Black Panther Party, led the Hampton attorneys to add the FBI to the civil case.

Named as new defendants in an amended complaint filed on December 4, 1974, were Marlin Johnson, Special Agent in Charge of the Chicago FBI office at the time of the raid; special agents Robert Piper and Roy Martin Mitchell of the Chicago FBI's Racial Matters Squad; and William O'Neal, a paid FBI informant. FBI documents show that O'Neal drew a map of the floor plan of Panther headquarters, with a special notation fixing the location of the bed in which Hampton slept. This map was passed to the Chicago police, who used it in their raid. FBI memos and courtroom testimony by FBI agents show that the FBI provided substantial information which assisted in the planning for the raid, and encouraged the Chicago police to carry out the raid.

In the amended 1974 complaint, the Hampton attorneys alleged a conspiracy between the FBI and local law enforcement officials and police to illegally deprive the Panthers of their civil rights by attempting to destroy their organization, and, in the 1969 incident, killing and injuring them, then covering up the conspiracy.

The majority appellate decision, which ordered a new trial in the case, recognized that the plaintiffs had presented sufficient evidence of a conspiracy so that the case should be heard by a jury.

Given the importance of the FBI's role in the alleged conspiracy and the direct affiliation of four defendants with the FBI, the Hampton attorneys charge that Pell should have recused himself. This is especially the case because the law requires a judge to disqualify himself not only in cases of direct conflict of interest, but also in "any proceeding in which his impartiality might reasonably be questioned."

Pell's former membership in the Society of Former Special Agents of the FBI seems to be more distressing to the Hampton attorneys than his status as an ex-FBI agent.

"The Society is a powerful political organization and lobbying group, knowledgeable described as a 'civilian auxiliary of the FBI' composed of men and women 'whose devotion to former Director J. Edgar Hoover demands expression through something midway between a fan club and an organized religion,'" says the recusal brief, quoting from the book *The Private Sector* by George O'Toole.

A 1975 internal society membership list obtained by the Public Eye, a research group affiliated with the National Lawyers Guild, shows that Pell was not the only figure involved in the Hampton case who was a member of the society. The list also includes one defendant, Marlin Johnson.

Pell has told reporters that the organization is just a fraternal club. Society documents state that the original purpose of the society was "the preservation of friendship and loyalty and the promotion of good will among the members." However, this was officially changed by majority vote of the members on October 9, 1976, to include a number of other objectives, including:

"To encourage respect for our Country and its traditions and to foster its security and freedom from destructive forces, foreign or domestic;

"To seek to elevate and strengthen the public image of the good law enforcement officer as an asset to his community and the image of the good law enforcement agency as a vital force for the good of our Country;

"To serve the Nation in any emergency calling for men with FBI training and experience and complete dedication to the principles of Fidelity, Bravery and Integrity."

The Hampton attorneys claim that, as part of this "emergency" assistance, "The Society reportedly had a long-standing

agreement with the Bureau" to assist in rounding up people for "preventive political detention" under the bureau's recently revealed and discredited "Security Index" or "Agitator Index" programs.

A policy statement issued by the society's board of directors, prompted by the indictments of several former FBI officials for alleged illegal activities during investigations into the Weather Underground, outlines the group's stand on indictments against FBI agents accused of misconduct:

"We affirm that any criminal prosecution of FBI Agents for actions taken totally without criminal intent, while performing their duties with honor and determination to protect the country from criminals and subversives, is completely unwarranted...Our Society is convinced that such ill-conceived attempts to prosecute FBI employees will be regarded by the American public as abhorrent to our nation's sense of fair play and justice."

Charles H. Stanley, president of the society, confirms that the group raises funds for the defense of indicted FBI agents and has helped organize demonstrations in their support.

The society claims to have raised more than \$400,000 to defend FBI agents accused of wrongdoing through its Special Agents Legal Fund.

According to Stanley, "FBI Agents should never be prosecuted for carrying out tasks assigned to them by their superiors. It's just irresponsible. That may be a bit strong, but certainly we feel the prosecution of the NY agents [involved in the Weather Underground probe] is wrong."

The Hampton attorneys call this position "morally and constitutionally dubious" and say that this defense has frequently been used by attorneys for the FBI defendants in both the trial and appellate proceedings. Further, the Hampton attorneys charge in their motion that Pell's dissent on the appeal decision "is an almost purely political statement, generally bereft of legal argument, which repeatedly mirrors and adopts the constitu-

tionally bankrupt positions taken by the FBI defendants and the Society of Former Agents."

In his dissent, Pell excuses the COINTELPRO operations of the FBI, which have been found unconstitutional and illegal by the Justice Department, Congress and other courts, by saying, "It is doubtful that in 1969 attempts to discredit groups thought to be presenting a clear and present danger of violence was a violation of First Amendment Rights."

Pell goes on to say that he assumes law enforcement authorities at the time thought "it would be in the public good to neutralize the Black Panther Party" and that "the community would be a safer place for law abiding citizens to live and work if Fred Hampton and his cohorts were not on the scene," Pell says, "It might not be surprising if those entering the premises overreacted in view of the knowledge that they were entering as 'pigs,' some of their colleagues having been killed by a BPP member."

The Hampton attorneys charge in their motion that Judge Pell "could not have written an opinion of this character in a case with this record, unless he had embraced the purposes and goals of the Society of Former Agents and adopted the position of the Agent defendants." They go on to say that Pell's alleged conflict of interest "which appears from his background as an agent, and his membership in the Society, is confirmed by his treatment of the case in his dissent."

The motion filed by the Hampton attorneys asks that Judge Pell recuse himself or be recused from all further proceedings in the Hampton case. Future motions could require decisions on certification of bills for fees and costs, which could be as much as \$1 million for the appeal work. There are precedents granting fees to the prevailing side in civil rights cases.

Recusal alone will not satisfy the Hampton attorneys, though; they are also asking that Pell's opinion in the dissent on the appeal, and his vote for an initial

hearing and re-hearing *en banc*, be withdrawn or stricken from the record, and that "an appropriate addendum or not be added to the published decision of the appeal, fully setting forth the background and function of the Society of Former Agents, and the circumstances of the recusal."

However, according to Judge Pell, the standard procedure for recusal motions in the Seventh Circuit is that they are submitted to the judge being challenged. Pell said that, because the motion was pending, he could not discuss specific points but he did state that the "only matter pending is their claim for attorneys fees."

Pell said that his relationship with the FBI and the Society have never been secret and that he feels free to discuss them in detail.

"I was in the FBI from August of 1942 — engaged in war-related activities — until October or November of 1945, when I left and went back into the private practice of law," said Pell. When he left, he joined the Society of Former Special Agents, which he saw as an organization primarily for "keeping in touch" with other former members. "We would get a magazine that would say so-and-so is now doing this or that," said Pell.

"During the time I was a member, the society was not engaged in any political activities, and the entire time I was a member I attended one meeting," Pell said.

Pell said that the first indication he received that the organization was involved in political activity was a fundraising letter he received asking for donations to support the defense of the NY FBI agents indicted in the Weather Underground surveillance case. He said this letter prompted him to leave the society: "When it appeared they were getting into political activities I sent in my letter of resignation."

He concluded that, when people "don't like what someone has to say, then they smear him with this, and that's what this is."

AD HOC

Citizens' Legal Defense Fund For The FBI

Enclosed is a study of the Weatherman organization which was prepared and distributed by the Society of Former Special Agents of the Federal Bureau of Investigation to its members. Because our Fund works in close cooperation with the Society -- and its Special Agents Legal Fund -- we were given permission to give this important study even wider distribution.

Three top FBI men are now under indictment for alleged actions taken in line of duty against this terrorist organization: L. Patrick Gray III, the former acting director of the Bureau; W. Mark Felt, his number two man; and Edward S. Miller, who was chief of counter-intelligence. Through the generous participation of thousands of Americans, our Fund is helping to cover the enormous expenses required to provide these men with the best legal defense possible in order to combat the massive resources of the U.S. Government leveled against them.

THE SPECIAL AGENTS LEGAL FUND, INC.
SUITE 2754, GRAYBAR BUILDING
420 LEXINGTON AVENUE
NEW YORK, N.Y. 10017

99

212-687-6222

March 12, 1979

ad hoc Citizens' Legal Defense Fund for the FBI
Suite 808
95 Madison Avenue
New York, NY 10016

My dear Friends:

I acknowledge receipt of your latest check in the amount of \$100,000 made payable to The Special Agents Legal Fund, Inc.

=====

The money expended on the John Kearney case, about \$158,000, resulted in a tremendous victory for all of us early last year when the Justice Department's indictments were thrown out of court. But that was just the beginning. Our cash requirements now have been trebled and even quadrupled. We are covering the legal expenses of three FBI men currently fighting indictments certainly as unfair as the one brought against Kearney -- L. Patrick Gray III, the former acting director of the Bureau; W. Mark Felt, who was his number two man; and Edward S. Miller, who was chief of counter-intelligence. We also helped Wally LaPrade, former head of the Bureau's New York office, in his legal fight against his scandalous dismissal.

=====

There are still other FBI men, both active and retired, who are being made scapegoats of the vendetta against the FBI. We see the Bureau, of which we are all so proud, being brought to its knees and almost irreparably harmed by those who would welcome weakened law enforcement and vital intelligence-gathering in our country. Never, in all its history, has the FBI been in such jeopardy. The only way we can save the Bureau is to fight for it by providing legal help for every agent threatened with legal harassment, which is the major weapon of the opposition.

=====

We will deeply appreciate anything you can do. I thank you on behalf of all the former agents in our own organization and, I daresay, for every man and woman actively engaged in the law-enforcement and intelligence work of the FBI.....still the greatest and proudest organization of its kind in all the world.

Sincerely,

The Special Agents Legal Fund, Inc.

Chicago Sun-Times, Wednesday, May 31, 1978

A judge FBI spy at Chicago 7 trial

By David Jackson

Attorney William Kunstler charged Tuesday that William J. Campbell, former chief judge of U.S. District Court in Chicago, acted as an "FBI informant" during the Chicago 7 conspiracy trial.

Kunstler, who was the chief defense attorney during the 1969-1970 trial, showed reporters FBI documents obtained through Freedom of Information Act requests that indicated Campbell had discussed with Marlin Johnson, then the FBI's Chicago bureau chief, how he thought trial Judge Julius J. Hoffman would rule in the case.

Campbell also told Johnson he would "ensure" that a subpoena seeking surveillance data, served on former FBI Director J. Edgar Hoover, would be quashed, Kunstler said, quoting another FBI document.

"I THINK it's a crime," Kunstler said of Campbell's alleged communications with the FBI. "It violates his oath of office, (and) it certainly is in contempt of court."

He said Campbell "was apparently the chief informant in the courthouse for the FBI."

Campbell, now a senior federal judge, was not available for comment. Johnson, who retired from the FBI in May, 1970 and currently is vice president of the Canteen Corp., declined to comment on Kunstler's charges.

Kunstler said other newly-released documents show that the FBI kept a "total surveillance" on the defendants and their attorneys, even during post-trial strategy meetings. He said the documents indicated that the attorneys' meetings either were infiltrated or bugged because exact comments made by the attorneys are reproduced in the confidential documents.

He said one document recorded what occurred during a March 5, 1970, conference in defense attorney Leonard Weinglass' Newark (N.J.) office, where appeal strategy was discussed. The government, Kunstler said, "knew what our strategy was going to be, who was going to do what and when."

"EVERYTHING was leaked," Kunstler said.

The first FBI document involving Campbell was a memo dated Oct. 29, 1969, from Alex Rosen, a high FBI official, to Cartha (Deke) De-

Loach, described by Kunstler as the "No. 3 man in the FBI" at that time.

The memo states that Judge Campbell contacted Marlin Johnson that day before court began and "confidentially advised" him that "he believed that U.S. District Court Judge Julius J. Hoffman, who is conducting the trial, had 'had enough' of the conduct of the defendants, and that it was possible that Judge Hoffman might today hold the eight defendants as being in contempt of court, as well as some of the attorneys, and sentence them to jail."

Despite Campbell's warning, Hoffman did not do so that day.

A second memo displayed by Kunstler, who met reporters at O'Hare Airport during a stopover between flights, concerned a subpoena served on Hoover seeking records of surveillance of the defendants and their attorneys. The subpoena was served on Hoover on Dec. 2, 1969. The memo, dated Dec. 3, 1969, also was from Rosen to DeLoach.

IN IT, Rosen reported that Campbell had said he "will insure that the subpoena is quashed." The subpoena later was quashed by Hoffman.

Defendant Jerry Rubin, who is writing a book, obtained both memos through Freedom of Information Act requests, Kunstler said.

Kunstler also said that he misplaced his address book during the trial, but a Jan. 5, 1970 FBI document indicates that the FBI had it and the names of witnesses, attorneys and others listed inside it.

He said the new information showed that judges and the government—rather than the defendants and their attorneys, as some have claimed—made a "circus" of the lengthy trial. "No process of the judicial procedure was left untrammelled. . . . To me, it's an unparalleled perversion of the legal process," Kunstler said.

The defendants and their lawyers were charged with more than a dozen citations of contempt. Kunstler said he would file a motion to have the records of the contempt actions expunged and that he was considering suing Campbell, former U.S. Atty. Thomas Foran, the prosecutor, and Hoffman, among others, for damages.

Friday, December 28, 1979 DAILY LAW BULLETIN—3

Ten years later, "Chicago Seven" attorney William Kunstler is still charging that the real conspiracy involved in that trial included the judge, prosecutors and the FBI.

In documents made public Thursday, Kunstler's federal court motion claimed that evidence indicates the FBI forged threatening letters purportedly written by the Black Panthers to prospective jurors who might have been sympathetic

to the defendants. He bases his charge on an FBI memo he obtained through the Freedom of Information Act. The memo reportedly says that U.S. District Judge Julius Hoffman concurred with an FBI order not to investigate the letters without permission from top agency officials. Kunstler is trying to overturn contempt of court convictions against the defendants.

Chicago Tribune 4/78

FBI used black judge to discredit Muslims

By Rob Warden

CHIEF JUDGE James B. Parsons of U.S. District Court was "utilized" by the FBI in a counterintelligence program to discredit the Black Muslims in the 1960s, according to bureau documents obtained by The Tribune.

The documents, released under the U.S. Freedom of Information Act, are memos to the late FBI Director J. Edgar Hoover from Marlin W. Johnson, special agent in charge of the bureau's Chicago office at the time.

The memos say Parsons, at FBI's behest, repeatedly criticized the Black Muslims, then known as the Nation of Islam, as racist and violent.

Parsons, 66, the first black ever named to the federal bench, denied Thursday that the FBI asked him to make the statements.

"IT IS TRUE that I sought information about the Muslims from the FBI and that there were occasions quite early in the '60s when I was critical of the Muslim movement, but under no circumstances did the FBI ever ask me to speak," he said.

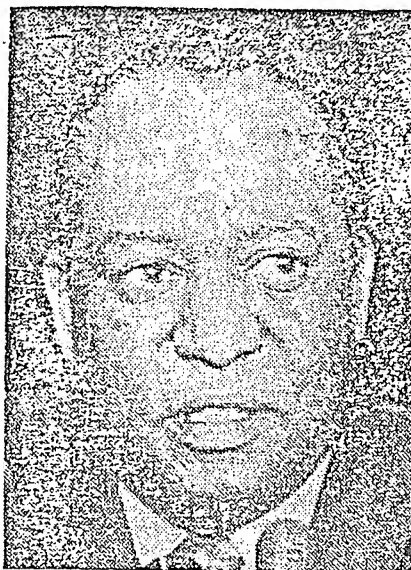
One of the memos, dated Jan. 22, 1969, says in part: "Over the years considerable thought has been given, and action taken with bureau approval, relating to methods through which the NOI [Nation of Islam] could be discredited in the eyes of the general black populace or through which factionalism among the leadership could be created.

"Factional disputes have been developed—the most notable [sic] being Malcolm X Little. Prominent black personages have publicly and nationally spoken out against the group—U.S. District Court Judge James Benton Parsons being one example.

"Chicago, as the bureau is aware, has always been on the alert for methods by which the NOI could be directed or disrupted. As is evidenced by the present co-operation with Parsons this policy continues."

ANOTHER MEMO, dated Dec. 12, 1968, says that "Chicago continues to maintain periodic contact" with Parsons, who was "approved by the bureau for counterintelligence usage sometime ago."

Parsons, the memo adds, "will certainly continue to speak out in such



Judge James Parsons

fashion and the contact by Chicago productive of such will continue."

A third memo, dated Aug. 29, 1969, says that "several years ago Chicago utilized a local federal judge to speak out against the NOI. He has not been utilized in this regard since the murder of Malcolm X Little as it was not the bureau's desire to involve him in a name-calling contest."

Parsons, interviewed by telephone in Delavan, Wis., where he was attending a judicial conference Thursday, said he has "no reaction" to the statements in the memos. "To me the language 'utilized' is understandable, but from a public standpoint it will not be understood.

"I think the documents reflect the fact that I had been threatened back in '63 by the Muslims. I was anxious to be constantly informed about them, and I had a complete FBI file on them. At no time did anybody ask me to speak out against or use my influence against anyone. I am responsible for what I said."

THE THREAT, Parsons said, "was that I was to be physically disciplined."

He said the threat was not made directly to him, but that he learned about it from the FBI. "Frankly, I was quite frightened when it occurred," he said.

He said his view of the Muslims has changed and he no longer criticizes them.

Chicago Tribune, Friday, April 28, 1978

Bell curbed probe of FBI, task force leader charges

WASHINGTON [AP]—Atty. Gen. Griffin Bell undermined the Justice Department's investigation of the FBI and blocked possible indictments against eight middle-level FBI officials, the man who led the probe said Thursday.

William L. Gardner told a Senate appropriations subcommittee that Bell effectively halted the investigation by refusing to let prosecutors seek perjury indictments against an unspecified number of FBI officials who the task force believed were lying.

Without the threat of perjury charges, Gardner said, his task force had no leverage with which to force agents to tell the truth about allegedly illegal FBI activities.

GARDNER SAID BELL also refused to let prosecutors seek indictments of eight mid-level officials on charges of wiretapping, mail theft, break-ins or black bag jobs, perjury, and false statements to a government agency.

He said the officials, some of whom still work for the FBI, include three squad leaders, four special agents in charge of divisions and one assistant director.

Gardner did not name any of the officials. He resigned as head of the task force in December but remained as head of the criminal section of the department's civil rights division.

Bell, out of town until Monday, had no immediate comment. But an aide, Terence B. Adamson, said the attorney general stands by his handling of the case and does not want to get into a debate with the task force lawyers.

ADAMSON described Bell's philosophical framework for prosecuting the so-called black-bag abuses as "giving the highest priority to those with the greatest degree of culpability." Adamson said

that Bell "was handed a difficult task when he arrived" and that "he gave it his full attention and best efforts, and he did his duty as he saw it."

Adamson said FBI officials and employees are still subject to disciplinary procedures for any role they may have had in the allegedly illegal surveillance activities.

Gardner testified that the task force not only learned that FBI agents were involved in burglaries but also turned up a class in breaking and entering that was given by a "guest lecturer" at the FBI training academy in Quantico, Va.

ANOTHER FORMER member of the task force, Stephen Horn, told the subcommittee that Bell pleaded with an FBI official to recant his testimony after the task force told the attorney general it wanted to indict the official for perjury.

"He told him he did not want to prosecute him because he was an FBI agent," Horn said of Bell. "He said it would be a disgrace to the FBI."

The statements by Gardner and Horn, and by two other task force members who resigned last year after a dispute with Bell, prompted Sen. Lowell Weicker [R., Conn.] to question Bell's fitness for office.

"It seems clear that the attorney general, despite the advice of top Justice Department prosecutors, willfully selected not to pursue a complete investigation," Weicker said. "What has transpired here this morning rightfully calls into question the suitability of Griffin Bell to continue as attorney general of the United States."

HOWEVER, SEN. Ernest Hollings [D., S.C.] said such talk was "sanctimonious" and said what really was at issue was that Bell and his subordinates dis-

greed on how to proceed with a difficult investigation.

Gardner said that when his task force recommended indictments of eight officials, four of them no longer were with the bureau, and four still worked at the FBI.

He said Bell objected to indicting so many agents and that the attorney general said several times that "he had to manage the bureau but couldn't do it with their officials on trial so often."

BELL EVENTUALLY decided, Gardner said, to indict only one man, John J. Kearney, the former director of the FBI bureau in New York.

Since then, the Justice Department has dropped that indictment and has announced indictments against former Acting FBI Director L. Patrick Gray III and two other executive-level FBI officials on charges resulting from allegedly illegal break-ins ordered by the agency in the early 1970s.

Gray has pleaded innocent to the charges, as did the other two defendants—W. Mark Felt, a former acting associate director, and Edward S. Miller, a former assistant director of the domestic intelligence division.

Bell also has taken administrative action against another FBI executive, J. Wallace LaPrade, until recently head of the FBI's New York office.

GARDNER TESTIFIED that Benjamin Civiletti, then head of the department's criminal division, agreed in an April 2, 1977, meeting that the eight cases should be presented for grand jury indictment.

Gardner also testified that the nature and extent of recent intelligence agency abuses were hidden from Congress and that the Senate committee investigation headed by Sen. Frank Church [D., Idaho] was deceived.

SEVEN DAYS SPECIAL REPORT

5/7/78

(Second of Two Parts)

Inside the FBI

FBI Informers Beg, Borrow and Steal

This has been a bad month for the FBI. First, three top FBI officials—former Acting Director L. Patrick Gray, 3d, former Acting Associate Director W. Mark Felt, and the former chief of the Bureau's counterintelligence section, Edward S. Miller—were indicted by a Federal grand jury for conspiring to violate the civil rights of American citizens by ordering agents to break into their homes without warrants. The break-ins cited in the indictment occurred in late 1972 and early 1973 in New York City and Union City, New Jersey, against friends and relatives of Weather Underground fugitives.

Attorney General Griffin B. Bell also asked current FBI director William H. Webster to subject 68 FBI agents to administrative discipline for their role in the illegal entries. Such action could result in dismissal.

On April 13, three days later, J. Wallace LaPrade, chief of the FBI's New York office and an unindicted co-conspirator in the government's case, was transferred to Washington to answer Justice Department charges stemming from the same investigation.

LaPrade, a 27-year veteran of the FBI, lashed out at Bell, charging that illegal searches and surveillances continued under the Ford and Carter Administrations and are continuing today. William Safire in *The New York Times* alluded to two specific cases LaPrade might have had in mind. These, in addition to the elaborate surveillance undertaken in the current "spy" case of Ronald Humphrey and Truong Dinh Hung suggest that current indictments are merely a cover for

continuing illegal surveillance. Some sources even go so far as to suggest that the Justice Department's decision to zero in on the FBI's Weather Underground investigations offers the FBI defendants an easy out, as they can claim their activities fell into the national security loophole. Recent allegations that the Weather Underground was in contact with the PLO indicate that this may be the case.

At the same time that these unprecedented indictments were being handed down, charges were dropped against John J. Kearney, a lower-level FBI official who had been under indictment for illegal wiretapping and mail openings. Bell said he dropped charges against Kearney after William C. Sullivan, former FBI number three man, testified that in 1970 J. Edgar Hoover had ordered him to urge Kearney to employ illegal measures against the Weather Underground.

If Kearney had gone to trial, it is believed Sullivan would have testified on his behalf. Sullivan also was reported to have been the key witness against Gray, Felt and Miller. He was a defendant in several multi-million dollar civil suits against the FBI and it was known that he intended to cooperate with the prosecution. A number of people, therefore, had good reasons for wanting Sullivan out of the way. Last year, shortly after he testified for nine hours before a grand jury investigating the FBI, he was shot in what was described as a hunting accident near his home in New Hampshire.

Attorney William Kunstler recently charged that Sullivan was murdered and called for a full investigation, citing a

number of suspicious circumstances surrounding his death. According to Kunstler, Sullivan was shot 15 minutes before sunrise at 243 feet with a sniper rifle equipped with a scope that magnified objects three to four times their normal size. The killer, Robert Daniels, is the son of a state trooper and, says Kunstler, an expert hunter.

He allegedly mistook Sullivan, attired in a black and white mackinaw and white turtleneck sweater, for the white tail of a deer. According to officials who examined the body, however, Sullivan was wearing a black and red mackinaw. The only white item of clothing they found was a T-shirt entirely covered by outer garments. The autopsy report has the fatal bullet traveling in a downward path through Sullivan's body until deflected upwards by vertebrae, while the killer said he shot upwards over the brow of a hill.

The FBI did not investigate at the time of the shooting. "It was a local matter," says FBI press officer Tom Deakin. "We didn't see any reason to investigate then and we find no reason now."

Kunstler's charges are potentially the most explosive of all and could have extremely serious consequences for the FBI, dwarfing the current flap over illegal entries, wiretaps and mail openings. Here is Part II of Dave Dellinger's interview with a former FBI agent who sheds some light on the kinds of activities that led to the grand jury indictments against the three top FBI officials. *Peter Biskind*

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July 15, 1964

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DATE *7-15-64*

To: SACs, New York (100-129802) PERSONAL ATTENTION
Chicago (100-32864)
Washington Field (100-421FF) (Enc - 2)

From: Director, FBI (100-3-1044 Main)

see above brackets

- 1 - Mr. Belmont
- 1 - Mr. Sullivan
- 1 - Mr. D.E. Moore
- 1 - Mr. Baumgardner
- 1 - Mr. Branigan
- 1 - Mr. Smith (R.W.)
- 1 - Mr. Ryan

Since initiated in 1956, the Counterintelligence Program (Cointelpro), directed against the Communist Party, USA (CPUSA), and related organizations, through a variety of techniques has disrupted, exposed and neutralized the communists. Some successful Cointelpro operations such as anonymous letters and mailings, in spite of their simplicity, have caused unexpected consternation and disruption among the comrades. Cointelpro-initiated publicity has been a tremendous deterrent to the comrades, while at the same time it has alerted the general public to their insidious maneuvers. More sophisticated techniques and operations have caused defections and expulsions within Party ranks.

Over the years, our approach to investigative problems in the intelligence field has given rise to a number of new programs, some of which have been most revolutionary, and it can be presumed that with a continued aggressive approach to these problems, new and productive ideas will be forthcoming. These ideas will not be increased in number or improved upon from the standpoint of accomplishments merely through the institution of a program such as COINTELPRO which is given another name, and which, in fact, only encompasses everything that has been done in the past or will be done in the future.

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